



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Tuesday, Sept. 4, 2018

Executive Office for Immigration Review

[TX] Scenes From an American Tragedy: The Texas Border Crisis..... 3

Policy and Legislative News

Federal Judge in Texas Delivers Unexpected Victory for DACA Program3

Renegade administration ignores Supreme Court's deportation order 4

Court hearing focuses on speedy family reunification 4

Still separated: Nearly 500 migrant children taken from their parents remain in U.S. custody 4

Inside The Desperate Search For 343 Parents Deported Without Their Kids .. 5

For Families Split at Border, an Anguished Wait for Children's Return.. 5

Each day without parents compounds tragedy for migrant children still separated 7

Some separated children in U.S. opt to join their deported parents..... 7

America should pay reparations to ICE detainees who have suffered human rights abuses 7

Arizona Democratic Congressman Threatens ICE Agents Carrying Out Deportation: 'You Will Not Be Safe' 8

Democrats calling for ICE to be abolished include Kirsten Gillibrand, Elizabeth Warren and others 8

Immigrant Attorneys Say ICE Has Become More Aggressive Against Asylum-Seekers 8

The Deportation Racket..... 9

My Children Were Denied Passports Because They Were Delivered By a Midwife 9

Trump stripping Mexican Americans of their passports on flimsy evidence is unconscionable, even for him 9

Hiring U.S. Citizens Only for ITAR Compliance Can Violate the Immigration and Nationality Act 10

ICE raids that target employers won't solve our immigration crisis 10

[GA] In Georgia, some immigrant families face separation 10

[WI] Wanggaard speaks on Fierro, DACA 11

[TX] Texas Immigration Law Professors Take Action to Help Reunite Families Seeking Asylum.....	11
[TX] Paris protesters march in support of detained Load Trail workers, attorney speaks on current situation.....	12
[AZ] 3 Separated Children Were Sexually Abused At Shelters, El Salvador Says	12
[OR] ICE Begins Releasing Asylum Seekers Held At Sheridan Prison	12
[CA] California Would Bar Immigration Arrests Inside Courthouses Under Bill Sent to Gov. Jerry Brown	13
[CA] Your Turn: Bearing witness at the border.....	13
[Venezuela] The flow of refugees fleeing Venezuela is about to become a tidal wave	14

Legal News

The AG Should Take Another Overdue Step to Oblige Compliance with Immigration Court Orders	14
Court Allows Lawsuit Challenging CBP's Practice of Turning Away Asylum Seekers to Proceed.....	15
ICE Must Face Certified Class Over Immigrant Detention	15
[CA] As courtrooms grow more diverse under 'zero tolerance,' difficulty finding interpreters leads to frustration	15

Enforcement News

Six Indians among over 300 arrested by U.S. immigration authorities	16
ICE Lays Down the Law and Arrests 364 — Convictions Included Attempted Murder, Child Sexual Exploitation	16
Let's enforce labor, immigration laws to put working people first	17
[CT] Father Of New London Boy Battling Rare Disease Granted Stay Of Deportation.....	17

[NY] Secret operation to deport last living Nazi defendant in the U.S. was a rare success	17
[NY] ICE transferring Albany's immigrant detainees to Batavia	18
[NY] U.S. deports Jamaican man wanted for murder	18
[NJ] Illegal Alien, Wanted Criminal Captured In Brick, Returned to El Salvador	19
[PA] 7 previously deported undocumented immigrants found in Central Pennsylvania, indicted	19
[VA] ICE submits detainer request for two men charged in Chesterfield fatal hit-and-run	19
[FL] Mother Held by ICE Over Traffic Ticket Freed After Posting \$20,000 Bond.....	20
[OH] Thirteen Illegal Immigrants Indicted After ICE Nabbed Them, Detained Over 100 Others.....	20
[IN] Threats lead to warrants, immigration arrest.....	21
[IA] Illegal alien sentenced to prison for illegally reentering the U.S. to live in Iowa following deportation	21
[LA] N.O. family faces possible separation and deportation; immigration attorney tries to fight decision	21
[TX] In the Wake of ICE Arrests, Community Leaders, Groups Seek 'More Compassion' for Families.....	21
[NM] Days after child-abuse charges are dismissed, New Mexico compound suspects are arrested again	22
[AZ] Immigration and Customs Enforcement sweep nets 78 arrests in Arizona	22
[CA] Illegal Immigrant Tossed From Fence After First Attempted Prison Break At California Jail Holding Detainees	23

Executive Office for Immigration Review

[TX] Scenes From an American Tragedy: The Texas Border Crisis

[Rolling Stone](#) [9/2/2018 11:45 AM, Molly Crabapple, 2020K] reports more than 2,300 children were separated from their parents through Donald Trump's "zero tolerance" policy before it was suspended on June 20th. In July, I spent five days with my sketchbook in the Rio Grande Valley, the epicenter of the border crisis, and found an immigration system returning to its status quo – which even without family-separation is one of daily cruelty and heartache. Children were no longer being ripped from their mothers and fathers; families were incarcerated together, sleeping on bare concrete in packed processing centers, nicknamed hieleras, or "iceboxes." "They humiliate us," a mother from Honduras told me at the McAllen bus station, where hopeful but exhausted migrants go after their often-traumatic initiation into the U.S. immigration system. "With sticks, they beat the metal bars to wake us up. If the children cry, they go after us. There was a child with a fever. They bathed him in cold water and let him lie naked on the floor except for his underwear. The mother was crying because the child is crying. She wants to cover him, but guards tell her she can't." From the moment they're seized at the border, immigrants move through an archipelago of institutions – Customs and Border Patrol, Immigration and Customs Enforcement, the Executive Office for Immigration Review – and at each point, they are guarded, shackled and transported by private contractors working for Ahtna, Trailboss and G4S.

Policy and Legislative News

Federal Judge in Texas Delivers Unexpected Victory for DACA Program

[New York Times](#) [8/31/2018 8:00 AM, Michael D. Shear, 25617K] reports a federal judge in Texas declined on Friday to halt an Obama-era program that protects young undocumented immigrants from deportation, handing a temporary victory to activists who are waging a legal fight against the Trump administration to save it. The judge, Andrew S. Hanen of the Federal District Court in Houston, said the program, known as Deferred Action for Childhood Arrivals, had been relied upon by hundreds of thousands of immigrants since it was established almost six years ago, and should not be abruptly ended. The ruling means that young immigrants who were brought illegally to the United States as small children can continue to apply for the program, which shields them from immediate deportation and provides a permit to work legally in the United States. Judge Hanen's ruling was unexpected. In his ruling in 2015 about the program for parents, he made it clear that he thought both efforts to protect undocumented immigrants were illegal. Immigrant rights activists were bracing for a ruling by Judge Hanen against the DACA program. In his ruling on Friday, Judge Hanen made it clear that he thought the DACA program was likely to be declared illegal in the long run. A spokesman for the Justice Department praised the judge for that part of his ruling.

[CNN](#) [8/31/2018 6:00 PM, Tal Kopan] reports that the Department of Justice declined to defend DACA in the lawsuit, but did ask Hanen to limit the effect of any ruling he may have issued. Spokesman Devin O'Malley said in a statement that Hanen had agreed DACA is

unlawful, "as the Justice Department has consistently argued," and said the department was "pleased" with the decision.

Renegade administration ignores Supreme Court's deportation order

[Salon](#) [9/1/2018 11:29 AM, Sarah Okeson, 811K] reports the Trump administration continues to deport people in violation of a July Supreme Court ruling that some legal scholars said should have stopped almost all of the thousands of current deportation proceedings. In an 8-1 ruling in *Pereira v. Sessions*, the often deeply-divided court said that deportation notices issued by immigration authorities that didn't include the time and place for deportation proceedings couldn't later be used to quash efforts by immigrants to remain in the United States. "Common sense compels the conclusion that a notice that does not specify when and where to appear for a removal proceeding is not a 'notice to appear,'" wrote Supreme Court Justice Sonia Sotomayor. Hundreds of thousands of cases could potentially be affected by the ruling. The Department of Homeland Security habitually gave immigrants notices that didn't have the time, date or place of the first immigration court appearance under a 1997 regulation published by then-Attorney General Janet Reno. Almost all the notices to appear in the three years recently didn't include the time and date.

Court hearing focuses on speedy family reunification

[Los Angeles Times](#) [8/31/2018 4:30 PM, Staff, 320K] reports attorneys for the U.S. government and immigrant families who were separated at the Mexico border discussed how to accelerate the reunification process during a hearing Friday in San Diego. The Trump administration has been under increasing pressure to speed up the process following allegations that three youngsters were sexually abused while in U.S. custody. The government of El Salvador said the three, ages 12 to 17, were victimized at shelters in Arizona. Most of the 2,600 children who were separated from their parents last spring before the administration agreed to stop the practice have been reunited, but hundreds remain apart more than a month after a deadline set by U.S. District Judge Dana Sabraw in San Diego. In trying to reunite families, the Trump administration has put the onus on the American Civil Liberties Union, asking that the organization use its "considerable resources" to find parents in their home countries, mostly Guatemala, El Salvador and Honduras.

The governments of those countries and nonprofit organizations have been trying to locate the families. Those efforts have included posting public notices and putting hotline numbers on billboards in the hope that a parent missing a child might see the signs and call. "Every day that these children are separated and left in government facilities does more damage," Lee Gelernt, an ACLU attorney representing separated families, said during the hearing Friday. "Even if the facilities were palaces, the separation of young children from their parents causes potentially permanent trauma." Gelernt told Sabraw that as many as 200 cases could be resolved in the next week or two. Those include families who want to be reunited in their home countries and those who want to waive their right to reunification and keep their child in the United States to pursue asylum. The judge said the administration also can expedite cases in which families have expressed the desire for the child to be sent back, without worrying about violating a temporary halt on deportations of families seeking asylum.

Still separated: Nearly 500 migrant children taken from their parents remain in U.S. custody

[Washington Post](#) [8/31/2018 5:14 AM, Maria Sacchetti] reports that lawyers are cold-calling phone numbers in far-flung Central American villages, and enlisting church pastors and schoolteachers to help. They are spreading the word on radio stations, putting up posters and setting up Spanish-language hotlines. They are trying to reach every parent separated from their children by the Trump administration. More than a month after a court deadline passed for the government to reunite families divided by President Trump's border crackdown, nearly 500 children remain in U.S. government-funded shelters without their parents, according to court papers filed Thursday night. Advocates and government officials say it could be weeks, months or longer before they are together. Nearly two-thirds of the 497 minors still in custody — including 22 "tender-age" children, who are younger than 5 — have parents who were deported, mostly in the first weeks of Trump's "zero-tolerance" policy.

Their lawyers are locating parents in their home countries to ask whether they want their children sent back, or would rather have them remain in the United States to pursue their own immigration claims. At the same time, the lawyers are trying to bring some deported parents back to seek permission to live in the United States — a decision that might end up with U.S. District Judge Dana M. Sabraw, who issued the reunification order. Other parents are still being vetted or are ineligible to immediately regain custody — because they are in custody, in some cases for minor or years-old offenses. Lauren Connell, pro bono counsel at Akin Gump's New York office, said she has been unable to find out why a 36-year-old Honduran woman remains detained in Sierra Blanca, Tex., separated from her 9-year-old son. She said the woman, who identified herself solely by her middle name, Marleni, hasn't seen the boy since May, although they speak twice a week. Connell said federal officials told them on Thursday that Marleni and her son would be reunited soon. ICE spokeswoman Leticia Zamarripa declined to comment on the case.

Inside The Desperate Search For 343 Parents Deported Without Their Kids

[Huffington Post](#) [9/2/2018 8:00 AM, Angelina Chapin, 9842K] reports they have a government-provided list of 343 names. But for a group of lawyers and immigration advocates, tracking down the parents who were separated from their children at the border under the Trump administration's zero tolerance policy and deported to their home countries has proved a daunting task. The advocates try the phone numbers listed, often calling up to six times before getting a response. If a number doesn't work or none is given, they try searching for the person's address in public registries or look for their children's contact information. In some cases, advocates end up searching remote villages of Guatemala, El Salvador, Honduras and Mexico, trying to find parents, some of whom are hiding from life-threatening violence. Most haven't seen their children in months, forced to leave them behind in the United States as they were sent back to the countries they had fled. More than a month after a court-ordered deadline for family reunification, almost 500. Children are still separated, and in most cases, that's because the parents have been deported. The advocates, who are staff members with four immigration and legal groups that the American Civil Liberties Union has tapped to help with its ongoing lawsuit against the family separations, need to find the parents to ask whether they want their children sent home — possibly to dangerous situations — or left in the U.S. to pursue asylum on their own.

For Families Split at Border, an Anguished Wait for Children's Return

[New York Times](#) [9/1/2018 5:00 AM, Kirk Semple and Miriam Jordan, 25617K] reports Pablo Domingo isn't getting much sleep these days. His thoughts turn day and night to his

8-year-old son, Byron, whom he hasn't seen since May. That's when Mr. Domingo and the boy crossed into the United States illegally from Mexico. The immigration authorities detained and separated them — deporting the father to his home country of Guatemala and sending the boy to a shelter in Texas. Most of the 3,000 or so families that were separated at the border under the Trump administration's "zero tolerance" policy, which was meant to deter illegal immigration, have been reunited under a court order. But in more than 500 cases, children are still separated from their parents, including 22 under the age of 5. Their fate lies, to a large extent, in the hands of nonprofit groups that have stepped into the breach left by the government to do the hard work of finding and reconnecting families. More than 300 of these cases, like Byron's, affect children whose parents were deported without them. Advocates have said in court that the American authorities forced or induced many parents to accept deportation and abandon their hopes of pursuing asylum on the promise of quick reunification with their children. Last month, under orders from Judge Dana M. Sabraw of Federal District Court in Southern California, the government submitted a strategy to reunify children with parents who had been deported. Its details were ironed out in conference with the American Civil Liberties Union, which filed a suit against the government over the separation policy. Under the plan, the government has designated officials in various departments to steer its efforts and is coordinating with Central American consular officials in the United States to prepare the children's travel documents.

[NBC News](#) [8/31/2018 1:46 PM, Suzanne Gamboa, 3740K] reports nearly 500 children are still separated from their migrant parents nearly two months after a federal judge ordered the youngest to be returned to their family members and more than a month after the reunification deadline for older children. Documents filed in a lawsuit seeking to reunite the families say 497 of the 2,654 migrant children that the Trump administration took from their parents at the border are still in federal custody and not with parents. Judge Dana Sabraw ordered all children under age 5 to be reunited with parents by July 10, but 22 of them are still separated, according to government documents filed Thursday. The deadline for reuniting 5- to 18-year-old children was July 26. On Friday, Rep. Joaquin Castro, D-Texas, called for a federal judge to take the reunification process from the Trump administration and appoint a special master or committee of special masters to oversee it. A Department of Homeland Security official declined to comment on the updated numbers and Castro's statement citing pending litigation.

[Times of San Diego](#) [8/31/2018 6:00 PM, Ken Stone, CA] reports a San Diego federal judge overseeing the reunification of families separated at the border under the Trump administration's "zero tolerance" policy on illegal immigration Friday questioned attorneys involved in a class-action lawsuit and related cases about the progress being made to get children back with their parents, many of whom have been deported. "Many, many families remain separated," said U.S. District Judge Dana Sabraw. "Are we optimistic?" In a related case, Sabraw extended a freeze on deporting separated families, giving children a chance to seek their own asylum. That freeze remains in effect. At an earlier hearing, Sabraw told the federal government it was "100 percent" responsible for children being separated from their parents and ordered officials to work to ensure that no child becomes an orphan as a result.

[ThinkProgress](#) [8/31/2018 9:44 AM, Addy Baird, 799K] reports that the Trump administration claims 167 parents of children still in custody waived their right to be reunited with their children, but as MSNBC's Jacob Soboroff noted Thursday night, the American Civil Liberties Union (ACLU) strongly disputes that argument.

Each day without parents compounds tragedy for migrant children still separated

[Houston Chronicle](#) [8/31/2018 1:00 AM, Editorial Board, 149K, TX] reports that as of Aug. 30, more than two months after a federal judge ordered the government to stop separations and reunite families, 497 children – including 22 aged 5 or younger – have yet to be returned to their parents. 497 children remain separated after weeks and months in detention shelters or foster care. That's 497 children alone in a strange country, feeling lost, even abandoned by those they love, sinking deeper into trauma from which they may never recover. At last count, according to the American Civil Liberties Union, the parents of 343 detained children have already been deported. Many children have been subjected to abuse and neglect in shelters; at least one toddler died after reportedly being denied proper treatment while in immigration jail. That baby was detained with a mother who pleaded for medical care.

Some separated children in U.S. opt to join their deported parents

[Breitbart](#) [9/3/2018 10:40 AM, Staff, 2213K] reports that under oath before a U.S. immigration judge, 14-year-old Sandy quietly asks the authorities to send her back to her native Guatemala, which she had left only months earlier. In a barely audible voice, she affirmed to a judge in Los Angeles her decision to opt for "voluntary departure." She is one of 445 children who as of last Thursday were still in U.S. custody, the bitter fruit of U.S. President Donald Trump's policy of "zero tolerance" of illegal immigration. The government says it has seen a rise in the number of children asking to leave the country voluntarily to rejoin their parents. A report released on Thursday detailed 15 cases so far, adding that the government would "facilitate and pay for" return transportation. Judge Ashley Tabaddor, who for nine years has dealt with cases of "unaccompanied minors," told AFP that voluntary departures are not common in her court. But the current group of children is hardly typical. When it separates a family, Tabaddor said, "Our government is creating an unaccompanied child." It was Tabaddor, who is president of the National Association of Immigration Judges, who heard Sandy's case, granting the government 120 days to prepare for the girl's return.

America should pay reparations to ICE detainees who have suffered human rights abuses

[NBC News](#) [9/2/2018 1:52 PM, Noah Berlatsky, 3740K] reports a 19-month-old Guatemalan child detained in March with her mother by immigration authorities in Texas contracted a respiratory infection and died six weeks after she was released. On August 28, the child's mother announced a lawsuit against the city of Eloy, Arizona, which is the main contractor running the facility, claiming that the child's death was due to negligence and poor care. She's not alone in this belief: A recent Human Rights Watch report found that 8 of the 15 recent deaths in ICE (Immigration and Customs Enforcement) custody between December 2015 and April 2017 were the result of substandard care. Under President Donald Trump, the United States has dedicated itself to harassing, tormenting, and violating the human rights of immigrants. Trump's policy of separating children from their parents at the border was greeted with such horror and outrage that he was forced to end the practice.

But that's hardly the only violation. Women have reported being sexually assaulted by guards and personnel while being held in custody by ICE; the agency is also attempting to prevent pregnant women in custody from receiving abortions. Many of these abuses extend back before the Trump administration; President Barack Obama's immigration policies frequently had unjust consequences as well. But Trump's demonization of immigrants has certainly made things worse. In response to these abuses, advocates successfully forced

Trump to end his official policy of separating children at the border. They've also called for the abolition of ICE itself, an agency that was only created after 9/11. But while ending bad policies is important and necessary, it will not do much to help people already harmed and traumatized. It's good that children are no longer being forcibly taken from their parents, but for those children who already underwent periods of separation, the damage is already done.

Arizona Democratic Congressman Threatens ICE Agents Carrying Out Deportation: 'You Will Not Be Safe'

[The Daily Caller](#) [8/31/2018 12:51 PM, Nick Givas, 984K, DC] reports that Democratic Congressman Ruben Gallego of Arizona threatened Immigration and Customs Enforcement agents on Twitter late Wednesday, saying those who take part in deportations should fear for their safety. Gallego said the tide would eventually turn against the agents and they would "not be safe" if they claimed they were simply following lawful orders. "If you are a U.S. government official and you are deporting Americans be warned. When the worm turns you will not be safe because you were just following orders. You do not have to take part in illegal acts ordered by this President's administration." Fox News commentator Geraldo Rivera rebuked Gallego Friday on "Fox & Friends," calling his behavior "reckless and irresponsible." He also said he sides with the ICE agents over Gallego. "Now we're telling cops that if you enforce the law you're going to be in trouble sometime down the road when the worm turns? I just think that that is a reckless and irresponsible statement," Rivera said. "I back the ICE officers. I detest roundup and removal of average working undocumented immigrants. I think it's absolutely unnecessary ... but you don't threaten the cops. You don't threaten the thin blue line. That what separates civilization from anarchy."

The [Washington Times](#) [8/31/2018 11:00 AM, Jessica Chasmar, 602K, DC] reports that Mr. Gallego, an Iraq War veteran of Colombian and Mexican descent, later clarified his remarks in a statement Thursday, saying he didn't mean violence, but that government officials "who violate the law or the [C]onstitution will not be immune to legal consequences."

Reported similarly: [Breitbart](#) [8/31/2018 11:35 AM, John Nolte, 2213K]

Democrats calling for ICE to be abolished include Kirsten Gillibrand, Elizabeth Warren and others

[FOX News](#) [8/31/2018 11:11 AM, Kaitlyn Schallhorn] reports some Democrats have joined the call to abolish the U.S. Immigration and Customs Enforcement (ICE) agency – especially under President Trump's administration. As more Democrats push back on the Trump administration's immigration policies – including the "zero-tolerance" policy for illegal immigrants that resulted in thousands of children being separated from their families until the president signed an executive order – some are seemingly warming up to the idea that ICE should be eradicated or completely redone. While some Democrats see calling on ICE to end could be a winning way to rally the party's base in the 2020 presidential primaries, others have waffled on the idea or been unsupportive completely.

Immigrant Attorneys Say ICE Has Become More Aggressive Against Asylum-Seekers

[NPR](#) [8/31/2018 5:14 AM, Monica Ortiz Uribe] reports that immigrant attorneys from Los Angeles to Philadelphia complain that, in the last two years, ICE has become more aggressive toward asylum-seekers. [Editorial note: consult source link for audio]

The Deportation Racket

[Harper's Magazine](#) [8/30/2018 9:33 AM, Micah Hauser] reports that America's vast immigrant detention network is the largest in the world. Over the past decade, this system has held an average of 400,000 people each year. Since 2009, Congress has required the Department of Homeland Security to provide at least 33,400 beds for immigrant detainees on any given day. (In 2010, the quota was bumped up to 34,000, and last summer, Thomas Homan, the acting director of Immigration and Customs Enforcement, announced his intention to expand daily capacity to more than 50,000.) Since deportation is a civil procedure and not a matter of criminal law, immigrants facing removal from the country have no right to legal counsel. According to the American Immigration Council, having an attorney makes it ten times more likely that a detained immigrant will win her case, but the representation rate hovers at just 14 percent. Duran's prospects were worse still. Between 2007 and 2012, judges at the Oakdale Immigration Court heard 42,521 cases — the majority of Louisiana's immigration docket — and ordered nine out of ten people deported. A mere 6 percent of detained immigrants had a lawyer by their side.

My Children Were Denied Passports Because They Were Delivered By a Midwife

[New York Times](#) [9/3/2018 8:00 AM, Debbie Weingarten, 25617K] reports that at the heart of the passport denials are allegations that home-birth attendants in border states provided fraudulent United States birth certificates to babies who were actually born in Mexico. The Bush and Obama administrations routinely denied passports to babies delivered by midwives in Texas for similar reasons, resulting in a 2009 class action lawsuit litigated by the American Civil Liberties Union. It argued that the government "was violating the due process and equal protection rights of virtually all midwife-delivered U.S. citizens living in the southern border region." The government settled, agreeing to develop new protocols that would no longer discriminate against those from border-states who were born at home. But The Washington Post now reports a spike in such passport denials to Hispanics under the Trump administration.

To live in the borderlands is to live on a seam, in a space where two things connect. In this place, we often witness the moments when obscure high-level policies collide with the lives of actual human beings. Here, noncitizens have been abused and exploited in horrific ways — families seeking asylum have been separated from one another, and migrants have been intentionally funneled into the most dangerous and remote parts of the desert, sometimes to their deaths.

Trump stripping Mexican Americans of their passports on flimsy evidence is unconscionable, even for him

[Los Angeles Times](#) [8/31/2018 4:10 AM, Editorial Board, 3575K] reports that this year some 1,500 American citizens had been detained for deportation in error, often because investigators messed up the identifications. Now comes a report from the Washington Post that the government has revived a practice of denying passport applications and renewals from hundreds of people of Mexican descent living along the Rio Grande. Why? Because they had been born with the assistance of a midwife at home or in a community health center rather than at a regional hospital, a not uncommon practice in remote and impoverished areas where health services can be hard to find. Unfortunately, some of the midwives had fraudulently attested that a few Mexican-born babies had been delivered on the U.S. side of the border, improperly qualifying them for citizenship.

The Post's report, of course, is just the latest revelation about an immigration policy under President Trump that defies basic humanity and long-standing practices. ICE agents have resumed showing up in California courts to arrest people making appearances there on suspicion that they are in the country unlawfully, a practice that California Supreme Court Chief Justice Tani G. Cantil-Sakauye described as "disruptive, shortsighted, and counterproductive" and "damaging to community safety and disrespects the state court system." Further, Atty. Gen. Jeff Sessions, who oversees the immigration courts, has set quotas for the number of cases immigration judges must complete each year and reassigned cases to himself so he can overturn prior immigration court decisions. The government wants to add space to detain thousands more people facing deportation, regardless of whether they pose a flight risk or a danger to society – and many have legitimate and legal requests for asylum.

Reported similarly: [Watertown Daily Times](#) [8/31/2018 4:49 PM, Staff, 16K, NY]

Hiring U.S. Citizens Only for ITAR Compliance Can Violate the Immigration and Nationality Act

[National Law Review](#) [9/1/2018 5:51 PM, David A. Ring, 19K, IL] reports that the Department of Justice (DOJ), Civil Rights Division, announced on August 29, 2018, its civil settlement with the international law firm, Clifford Chance US LLP, for violations of the Immigration and Nationality Act (INA), 8 U.S.C. 1324b, attributable to Clifford Chance's overly restrictive interpretation of who can work on projects involving data controlled by the International Traffic in Arms Regulations (ITAR). Clifford Chance, for purposes of conducting a large-scale document review involving ITAR controlled data, restricted the project to U.S. Citizens only, based on its good faith belief that only U.S. Citizens could work on ITAR projects. According to DOJ, Clifford Chance unlawfully discriminated against persons based on their citizenship by excluding eligible non-U.S. citizens from its ITAR project. DOJ rejected Clifford Chance's argument that it should be absolved of liability because it acted in good faith (there's no good faith exception to the prohibition against discrimination under 1324b), and Clifford Chance agreed to pay a \$132,000 civil penalty, implement various corrective actions, and allow DOJ oversight for a two-year period.

ICE raids that target employers won't solve our immigration crisis

[Dallas Morning News](#) [9/4/2018 3:00 AM, Loren Steffy, 496K, TX] reports some 300 federal agents swooped down on a trailer manufacturer in Sumner, detaining 160 suspected unauthorized immigrants but making no criminal arrests. The raids were part of the administration's efforts to step up audits and investigations of employers in search of illegal immigrants on their payrolls. Between Oct. 1 and May 4, Immigration and Customs Enforcement inspected more than 3,500 workplaces, more than it examined in all of fiscal year 2017, according to The Wall Street Journal. By the time this fiscal year is over, officials predict they will have conducted more than 5,500 workplace investigations, triple that of the previous year. Targeting employers does nothing to address illegal immigration. In fact, the investigations exacerbate an already untenable situation for both employers and immigrants while ignoring the underlying causes of illegal immigration.

[GA] In Georgia, some immigrant families face separation

[Washington Post](#) [9/3/2018 2:56 PM, Associated Press] reports that the separation of children from their immigrant parents along the border has drawn international attention this year, but similar separations also take place far away from the border. The Atlanta Journal

Constitution reports that in Georgia when a parent is deported or detained, their children may be placed in foster care if there's no other relative to take care of them. If that happens, lawyers and officials from other countries say parents may have to go through a difficult process to get their child back, a process that can be particularly difficult if the child is a U.S. citizen. Tom Rawlings, interim director of the Georgia Division of Family and Children's Services, said it's a significant issue and one he's already trying to address. Bryan D. Cox, a spokesman for U.S. Immigration and Customs Enforcement, says the agency lets the parent decide who should take custody of any children. Often it's another relative or parent living in the U.S. But if the parent is solely responsible for the child, Cox says the agency takes that into consideration when making the call on whether to detain the person. If the parent is brought into custody and doesn't name a caregiver for the children, he said that's when state child welfare officials are contacted.

The [Atlanta Journal-Constitution](#) [8/31/2018 8:00 PM, Carrie Teegardin, 594K, GA] reports that children aren't placed in foster care every time a parent is detained or deported. If someone is arrested by U.S. Immigration and Customs Enforcement (ICE), the agency lets the parent make the call on who should take custody of any children, said spokesman Bryan D. Cox. Often, another parent or relative in the U.S. takes the kids. If a parent is a sole caregiver, Cox said ICE considers that when deciding whether or not to detain the person. If ICE does take a parent into custody and the parent does not name someone to take the children, then state child welfare officials are brought in, he said.

[WI] Wanggaard speaks on Fierro, DACA

[Racine Journal Times](#) [9/2/2018 7:00 AM, Ricardo Torres, 33K, WI] reports the arrest of Racine resident Ricardo Fierro by Immigration and Customs Enforcement officers has prompted a strong response from local Democrats, such as state Reps. Greta Neubauer of Racine and Peter Barca of Kenosha, but little response from local Republican elected officials – until recently. State Sen. Van Wanggaard, R-Racine, a former police officer, said ICE and other law enforcement agencies are supposed to make arrests when they see laws being broken, but he does feel empathy for Fierro. "I feel terrible for him," Wanggaard said. "The problem is he was actually deported before he was 18 and then he violated that and came back in, which is a felony. So, what are we supposed to do? Ignore that? No, I don't think so." Fierro was arrested on July 24 outside of his home and has been in court trying to fight deportation proceedings. In early August, there were reports of four more Racine residents being arrested by ICE. An ICE official issued a statement to The Journal Times on Aug. 9 that read in part: "ICE leadership has made it clear: ICE will no longer exempt classes or categories of removable aliens from potential enforcement."

[TX] Texas Immigration Law Professors Take Action to Help Reunite Families Seeking Asylum

[Texas Lawyer](#) [8/31/2018 6:00 AM, Angela Morris, 118K, TX] reports law students were on summer break when outrage erupted nationwide over the Trump administration's practice of separating immigrant parents and children who crossed the country's southern border. Summer didn't stop Texas immigration law professors from taking action, and in the coming school year, they're planning opportunities for law students in their schools' immigration clinics to help reunited families seek asylum or fight deportation. Law professors all over Texas jumped into action at various levels to help immigrant families the government separated. On the meta level, Denise Gilman, professor and director of the immigration law clinic at the University of Texas School of Law, helped co-author an emergency request to

the Inter-American Commission on Human Rights. The request pleaded with the commission to "stop a human rights and humanitarian crisis perpetrated by the United States government in the Texas-Mexico border."

South Texas partnered with the Houston Immigration Legal Services Collaborative on its new Deportation Defense Houston project, which promised to prioritize separated families' cases. The law school's contribution is a new Advanced Immigration Clinic launching this fall, and it's already gotten requests to represent separated families, said Vinh Ho, professor and director of Immigration Initiatives at South Texas College of Law Houston. Along with the clinic's immigration staff attorney, up to eight law students in the clinic will interview and screen detained immigrants, he explained. In the interviews they will screen clients for bond eligibility and forms of immigration relief-most likely asylum. They'll also do research, ask questions in immigration court and work on Board of Immigration Appeals cases if any of the clients go to that level.

[TX] Paris protesters march in support of detained Load Trail workers, attorney speaks on current situation

[KXII-TV 12](#) [9/3/2018 10:51 PM, Meredith McCown, 23K, TX] reports about 150 people gathered for a protest held Sunday night in support of the undocumented workers from a Lamar County trailer manufacturing company. The workers were arrested last Tuesday after federal immigration agents searched the facility. Load Trail attorney Gene Besen said right now, they'll continue to help families who call the ICE detainee locator help hotline and ask families if they need help. 154 Load Trail workers remain in custody after what federal authorities said was one of the largest operations of its kind in a decade. An ICE spokesperson said this is an ongoing criminal investigation, which he said in general, can take months. Those who were arrested were taken to facilities in North Texas and Oklahoma. They'll remain in custody depending on the status of their immigration cases.

[AZ] 3 Separated Children Were Sexually Abused At Shelters, El Salvador Says

[National Public Radio](#) [8/31/2018 3:42 PM, Sasha Ingber] reports three children from El Salvador were sexually abused at shelters in Arizona after they were separated from their families, Salvadoran officials said Thursday. "They are sexual violations, sexual abuses, that is what this is about," Liduvina Magarin, a deputy foreign relations minister, told journalists, according to The Associated Press. Salvadoran authorities received reports that the three minors, aged 12 to 17, were abused by workers at unnamed shelters, Magarin said. Their families have the option of receiving help from lawyers provided by the Salvadoran government, and their children will receive psychological support when they are reunited, Magarin said, according to the AP. The allegation follows a July ProPublica report which found that in the past five years, police responded to at least 125 calls alleging sex offenses in shelters where mainly migrant children stay. Hundreds remain separated, prompting criticism of the Trump administration's policy and pace of action. The U.S. Immigration and Customs Enforcement has also attracted questions about the quality of care at family detention centers it supervises. As NPR's Joel Rose reported, an eighteen-month-old died in Texas after being detained with her mother, who was seeking asylum from Guatemala.

[OR] ICE Begins Releasing Asylum Seekers Held At Sheridan Prison

[Oregon Public Broadcasting](#) [8/31/2018 1:03 PM, Conrad Wilson, 69K, OR] reports Albert Mukete stepped out from behind the coils of concertina wire, steel and concrete of the

Sheridan Federal Correctional Institution on Wednesday and into the sun of a late summer day. While Mukete is not the first detainee to be released from the prison, his release is notable because he appears to be among the first detainees at the federal prison in Sheridan granted parole by U.S. Immigration and Customs Enforcement. Mukete arrived at the federal prison in Sheridan on May 31, along with more than 120 other ICE detainees. At the time, ICE officials said they planned to send up to 1,600 detainees to five federal prisons in California, Oregon, Washington, Arizona and Texas – a move attorneys say is unprecedented. Mukete is a member of the English-speaking minority in Cameroon, which is seeking to break away from the French majority and form its own country. In recent years, politics there have led to violence. Last week, some detainees at the federal prison in Sheridan were granted bail by an immigration judge. But ICE's decision to parole detainees is different. Detainees like Mukete who present themselves at ports of entry don't get hearings before immigration judges. Instead, their detention is determined by ICE. It's not clear why ICE released Mukete. But in July, a federal judge blocked the government's detention of asylum seekers after the American Civil Liberties Union filed a lawsuit. ICE did not specify if it had changed its policy toward asylum seekers. "Only in limited circumstances and on a case-by-case basis, should an alien be released from custody for urgent humanitarian reasons or significant public benefit," ICE spokeswoman Carissa Cutrell wrote in an email.

[CA] California Would Bar Immigration Arrests Inside Courthouses Under Bill Sent to Gov. Jerry Brown

[Los Angeles Times](#) [8/31/2018 9:04 PM, Jazmine Ulloa, 270K] reports a proposal that would prohibit immigration arrests at state courthouses was sent to Gov. Jerry Brown on Friday, part of a broader move by Democrats to ensure public institutions remain "safe zones" for immigrants without legal status. The approval comes as concerns continue to rise over the presence of federal immigration agents in courtrooms across the country. The latest such arrest to spark criticism took place this month in Sacramento. The legislation would prevent law enforcement officials from making civil arrests during proceedings or while the person they wish to detain is conducting legal business. The proposal also gives judges the power to stop such arrests or other activities that interrupt their proceedings, or that threaten access to the court. U.S. Immigration and Customs Enforcement directs its agents to avoid arrests in "sensitive locations" such as schools and churches. But it does not consider courthouses to fall in that category, and immigration officials have maintained that making arrests in courts is preferable because they provide a secure environment. California Chief Justice Tani G. Cantil-Sakauye sent a letter to Trump officials in March that criticized the approach as undermining access to justice for immigrants. The Judicial Council of California, which is led by Cantil-Sakauye, is expected to consider the rule in the fall.

[CA] Your Turn: Bearing witness at the border

[Napa News](#) [8/31/2018 10:00 PM, Lee Bycel, 33K, CA] reports recently I had the opportunity to participate in a HIAS – ADL Jewish leaders' delegation to the border. Tuesday was spent in San Diego at briefings on the border crises. I spent several hours at the federal courthouse in San Diego observing a hearing for Operation Streamline, a program enacted in 2005, but adopted in California just last month. People who cross the border illegally, for whatever reason, are now sent to criminal court instead of immigration court. They are seen in groups and in most cases deported immediately. At the hearing I witnessed, 18 men and one woman were brought in together. Their legs were shackled. Everyone pleaded guilty. They had been held anywhere from one to four days in conditions

like a maximum-security prison. Little to eat, lights kept on all night, and confined to a cell. They met their court-appointed attorneys for about 15 minutes on the morning of the hearing. They were encouraged to plead guilty, for the sake of expediency. A not-guilty plea would lead to months of detention, with deportation the most likely result. After the hearing, they were immediately deported with a criminal misdemeanor on their record. The entire process took no more than 90 minutes.

[Venezuela] The flow of refugees fleeing Venezuela is about to become a tidal wave

[Miami Herald](#) [9/2/2018 7:53 PM, Andres Oppenheimer, 1126K, FL] reports when I interviewed the director of Colombia's migration office about the estimated 1 million Venezuelan refugees who have flooded his country in recent years, he told me that he expects the number of exiles moving to his and other Latin American countries to double over the next year. I asked Christian Kruger, the director of the Colombia's Migration Office. "Unfortunately, yes," Kruger responded. If Venezuela's economic collapse continues, as seems likely, "We estimate that the number of Venezuelans who will have moved to Colombia will not be 1 million, but 2 million over the next 12 months. And the same may happen in Peru, Ecuador, Argentina, Chile and other countries."

The Venezuelan exodus is growing every day, Kruger said. An estimated 45,000 Venezuelans cross the Colombian border daily, most of them to get essential food and medicine that they cannot get at home. Of those, about 40,000 return to Venezuela, up to 2,000 remain in Colombia and an estimated 3,000 continue their journey to Ecuador, Peru and other South American countries, he said. Shamefully, while Latin American countries are taking hundreds of thousands of Venezuelan refugees, the United States is denying many Venezuelans asylum petitions and deporting some of them. While President Trump criticizes Venezuelan dictator Nicolas Maduro, and Vice President Pence has demanded Latin American countries to "do more" about the oppression in Venezuela, the U.S. administration has deported at least 150 Venezuelans in fiscal year 2018, according to a McClatchy report in April. That's a significant increase from previous years, immigration lawyers say.

Legal News

The AG Should Take Another Overdue Step to Oblige Compliance with Immigration Court Orders

[Center for Immigration Studies](#) [9/4/2018 6:45 AM, Dan Cadman] reports that the Attorney General exercises supervisory authority over the courts because they, and the appellate tribunal for immigration cases (the Board of Immigration Appeals), are housed within the Executive Office for Immigration Review, which is a Justice Department agency. The actions he's taken to instill a modicum of rigor in the besieged and nearly overwhelmed immigration courts — plus other actions he's taken, such as cutting off grant funds for sanctuary jurisdictions (now working itself through the courts as a result of the inevitable legal challenges, which will no doubt require resolution at the Supreme Court) — have made Jeff Sessions one of my favorite AGs in recent years, notwithstanding various negative presidential tweets. To date, most of the AG's exercise of oversight has been by means of certifying to himself certain cases winding their way through the administrative appeals process, to ensure that EOIR judges and appellate board members follow the guidance that's laid out when he decides those cases.

But there is another arena in which the AG can both help to curtail the rising backlog and at the same time ensure that when decisions are made ordering an alien's deportation, they actually get enforced — and he can do this simply by issuing policy memoranda. The arena I'm speaking about has to do with the routine practice of immigration judges "reserving decision" at the conclusion of the actual proceeding, followed some time later (often a significant amount of time later) by a written decision issued to the alien, his counsel, and the government. This happens most often in non-detained removal cases, which constitute the vast majority of immigration hearings.

Court Allows Lawsuit Challenging CBP's Practice of Turning Away Asylum Seekers to Proceed

[Immigration Impact](#) [8/31/2018 7:07 PM, Aaron Reichlin-Melnick] reports in a blow to the Trump administration, a federal court in California recently allowed a class action lawsuit to move forward challenging U.S. Customs and Border Protection's (CBP) practice of turning away asylum seekers at the border. The lawsuit, *Al Otro Lado v. Nielsen*, was brought in 2017 by six individual asylum seekers and the organization Al Otro Lado, all plaintiffs in the case. The lawsuit, brought after advocates began documenting incidents in early 2017 in which individuals arriving at the U.S.-Mexico border were not permitted to apply for asylum, alleges that CBP has been illegally turning away large numbers of asylum seekers at ports of entry (POEs). This practice has received increased scrutiny in the past year, with many organizations and news agencies documenting new CBP practices, including forcing asylum seekers to wait in Mexico.

ICE Must Face Certified Class Over Immigrant Detention

[Bloomberg Law](#) [8/31/2018 11:40 AM, Perry Cooper] reports U.S. Immigration and Customs Enforcement must face a certified class of immigrants challenging their detention, a federal court ruled. Three immigrant teenagers who entered the U.S. as unaccompanied minors sued ICE and the Department of Homeland Security alleging they were transferred to adult detention facilities when they turned 18. A law requires ICE to consider less restrictive placements, they allege. The class could include thousands of former unaccompanied minors.

[CA] As courtrooms grow more diverse under 'zero tolerance,' difficulty finding interpreters leads to frustration

[San Diego Union Tribune](#) [9/2/2018 5:00 AM, Kristina Davis, 320K, CA] reports a status hearing for a Ghanaian man accused of crossing the border illegally was abruptly cut short when the phone connection between the courtroom and Ashanti Twi interpreter on the line went dead. The defendant, who does not speak English, would have to come back to court the next day to try again. At another hearing, a young Mexican woman also being prosecuted for illegal entry didn't understand what was happening around her as she was seated in court. She needed a Mixteco interpreter, but the one on hand spoke a different dialect. Still, they pressed on, slowly attempting to explain the charges against her, with confusion and tears etched on her face. Similar scenarios of communication breakdown have become commonplace in San Diego federal court as the Trump administration has vowed to treat every illegal border crossing as a crime under a "zero tolerance" policy. Since the policy's implementation in May, the demand for foreign language interpreters has spiked, but filling the need has not been easy.

The increased caseload has led to logistical problems in court, frustrations as defense

attorneys struggle to communicate basic legal concepts to their clients, and concern among the defense bar that due process is being skirted. Several prosecutions have been dismissed this summer due to language issues. To deal with the logistics of handling a sudden influx in misdemeanor illegal entry cases, the Southern District court recently set up a dedicated court that closely resembles "Operation Streamline" courts set up under previous administrations along other parts of the Southwest border. Defendants typically appear the day after arrest and are given the opportunity to plead guilty immediately and be sentenced, usually to time served. From there, they go into immigration proceedings — a completely different legal system. To prepare for the afternoon hearings, defense attorneys meet with their clients in the converted garage of the federal building in the morning. Each attorney typically is assigned two to four clients that day.

Enforcement News

Six Indians among over 300 arrested by U.S. immigration authorities

[India Post](#) [9/1/2018 1:11 PM, Staff, 3K, India] reports six Indian nationals are among over 300 people arrested by American authorities for criminal activities and violating the country's immigration laws during a month-long crackdown across six states. Federal officers with the US Immigration and Customs Enforcement's Enforcement and Removal Operations arrested 364 criminal aliens and immigration violators during a 30-day enforcement action across Indiana, Illinois, Kansas, Kentucky, Missouri and Wisconsin. Those arrested during this operation came from 25 countries, including six from India. Of the 364 arrested, 187 had criminal convictions, 16 were women and 346 men and 236 were from Mexico. More than half of the aliens arrested by ERO deportation officers during this operation had prior criminal histories that included convictions for crimes such as assault, attempted murder, burglary, child neglect, child sexual exploitation, domestic violence, drug trafficking and illegal re-entry after deportation. "This operation targeted criminal aliens, public safety threats, and individuals who have violated our nation's immigration laws," said Ricardo Wong, field office director for ICE ERO Chicago.

Reported similarly: [Economic Times](#) [9/1/2018 11:35 AM, Yoshita Singh, Mumbai]

ICE Lays Down the Law and Arrests 364 — Convictions Included Attempted Murder, Child Sexual Exploitation

[Independent Journal Review](#) [8/31/2018 3:22 PM, Sam Dorman, 117K, VA] reports earlier this week, Immigration and Customs Enforcement announced another massive enforcement operation resulting in hundreds of immigrant arrests. The 30-day operation took place in several midwestern states and rounded up immigrants who had prior criminal convictions. Those convictions included child sexual exploitation, rape, attempted murder, assault, burglary, and drug trafficking. Although the arrested immigrants came from as far away as Saudi Arabia, the vast majority came from Mexico and South America. ICE said it arrested 97 immigrants who illegally re-entered the United States after deportation. In a statement, ICE's field office director for Chicago praised the agency's work. "Operations like this reflect the vital work our ERO officers do every day to protect our communities, uphold public safety and protect the integrity of our immigration laws," director, Ricardo Wong, said. "We will continue to devote the full efforts of our agency to protecting citizens and enforcing federal immigration law. Communities are safer today because of the hard work done by the men and women of ERO."

Let's enforce labor, immigration laws to put working people first

[The Hill](#) [9/3/2018 9:00 AM, Ruth Ellen Wasem] reports that this Labor Day, immigration policy is quite salient in most political races. Some candidates are warning U.S. workers that foreign workers are taking their jobs. Others praise the contributions that immigrant workers make to grow the economy and point to key sectors that need immigrant workers to survive. These debates are not new. The academic research on immigrant impact shows a nuanced picture. Harvard economist and noted immigration scholar George Borjas has concluded, "Immigration redistributes wealth from those who compete with immigrants to those who use immigrants — from the employee to the employer. And the additional profits are so large that the economic pie accruing to all natives actually grows." He offers the option of taxing the companies (e.g., agriculture and services) that benefit from low-skilled foreign workers and using the money to shore up low-skilled Americans. Borjas' option might appeal to some but is insufficient to meet the concerns of most workers — native and foreign. Policies in need of major reform include those centered on the labor market — labor certification and worksite enforcement. Within the Department of Homeland Security, Immigration and Customs Enforcement (ICE) is charged with investigating suspected violations of immigration law pertaining to foreign nationals working illegally in the United States. The U.S. employer (not the prospective worker) is responsible for completing the foreign labor certification process to bring in foreign workers. It is illegal for foreign nationals to work in the United States without proper employment authorization, and it is illegal for employers to knowingly hire unauthorized foreign workers. However, as my research has found, many sectors and types of employers recruiting foreign workers from abroad are not required to demonstrate that they attempted to hire qualified U.S. workers.

[CT] Father Of New London Boy Battling Rare Disease Granted Stay Of Deportation

[Hartford Courant](#) [8/31/2018 5:45 PM, Ruth Bruno, 126K, CT] reports Julian Rodriguez, a New London father and Colombian immigrant, was granted a year's stay of his deportation as his 14-year-old son battles a rare disease. Rodriguez was scheduled to be deported Sept. 12. The stay, granted Friday by the federal immigration authorities, will allow Rodriguez's son, Santiago, or "Santi," to continue receiving treatment at Connecticut Children's Medical Center in Hartford for chronic granulomatous disease, a rare genetic disorder. U.S. Rep. Joe Courtney and U.S. Sen. Blumenthal joined the boy's family and physician, Dr. Juan Salazar, in pushing for a "national interest" waiver that would allow Rodriguez to stay. Blumenthal has continued to advocate for the family to be allowed to stay in the country without a need for annual stays and waivers. "Julian must be allowed to remain here to support his wife and son as they continue to participate bravely in the national study to save the lives of countless other children afflicted with Santiago's rare genetic condition," Blumenthal said, advocating for "permanent relief" from the possibility of deportation. Rodriguez and his wife fled from guerrilla violence in Columbia and arrived in the U.S. 18 years ago, according to Blumenthal. In 2009, Rodriguez applied for asylum but was rejected.

Reported similarly:

[Norwalk Hour](#) [8/31/2018 9:51 PM, Staff, 16K, CT]

[The Day](#) [9/2/2018 9:18 PM, Martha Shanahan, 28K, CT]

[NY] Secret operation to deport last living Nazi defendant in the U.S. was a rare success

[Washington Post](#) [9/1/2018 5:49 AM, Debbie Cenziper and Justine Coleman, 11614K] reports that he had watched eight Nazi war criminals die on American soil long after federal judges had ordered them to leave, so when the email came in early July with news that Germany would finally take the last surviving Nazi defendant in the United States, Eli Rosenbaum tried not to worry. Anything could go wrong. It had before, too many times to count. At 95, Jakiw Palij could grow too ill to leave his home in Queens. The fledgling agreement between the United States and the German government could fall apart. As recently as December, a German government official publicly said that Palij, born in a Polish village in what is now Ukraine, had no legal basis to enter Germany. That argument frustrated Rosenbaum for years as director of the Office of Special Investigations (OSI), a former unit inside the criminal division of the U.S. Justice Department. From a nondescript outpost in Northwest Washington, the OSI identified and prosecuted Nazi perpetrators who slipped into the United States after the Holocaust, many with stories about war years spent on farms and fields, unconnected to the killing centers and mass-shooting squads of occupied Europe. On Aug. 20, federal agents took Palij into custody and shuttled him to a chartered air ambulance waiting in Teterboro, N.J. Then, just after 4:30 p.m., nearly seven decades after Palij sailed into the port of Boston on the USS General Stuart Heintzelman alongside hundreds of Europe's war refugees, Rosenbaum got the two-word update he had waited years to read. The sudden deportation of Palij after more than a decade of unsuccessful attempts was the result of a closely guarded operation that spanned government agencies in Washington, New York and Berlin, including the Justice Department, Immigration and Customs Enforcement (ICE), the State Department's Office of the Special Envoy for Holocaust Issues and the U.S. Embassy in Germany.

[NY] ICE transferring Albany's immigrant detainees to Batavia

[Times Union](#) [8/31/2018 6:48 PM, Mallory Moench, 118K, NY] reports they traveled from more than 20 different countries to cross the southern border to apply for asylum in the U.S., their attorneys said. Some of the migrants said they were beaten because of their political affiliations or targeted because of their stance against corruption. Others said they fled violence because of their sexual orientation. They've been in immigration detention for two months. Now, some are leaving their first legal support system in the U.S. The 296 migrants, who were transferred from the southern border to Albany County jail in Colonie this summer face uncertain legal representation as many move to a site near Buffalo. 126 will have been transferred to the Batavia Federal Detention Center, according to Immigration and Customs Enforcement. Another 74 are "slotted" to be sent there. A wave of volunteer attorneys stepped up to represent detainees in Albany this summer, and legal organizations are now scrambling to ensure that those moved still have representation. Asylum seekers are five times more likely to get asylum when represented by a lawyer, the Transactional Records Access Clearinghouse at Syracuse University reported. Last year, 20 percent of asylum seekers didn't have a lawyer. Last year, 62 percent of asylum applications were denied.

[NY] U.S. deports Jamaican man wanted for murder

[Jamaica Observer](#) [9/1/2018 7:07 PM, Staff, Jamaica] reports law enforcement authorities in the United States say they have deported a 24-year-old Jamaican man wanted in his homeland on murder charges. The United States Immigration and Customs Enforcement (ICE) agency says Oshane Wayne "was removed from the United States ... and transferred into the custody of Jamaican law enforcement authorities." Field Office director, Thomas R Decker, said, "We are targeting criminal aliens every day in New York City, many like

Thompson, who is wanted in his home country to face murder charges. It is important to recognize that ICE officers enforce immigration laws and remove criminal aliens from city streets in the interest of public safety, keeping our communities free of those who seek refuge from facing justice for their criminal acts."

[NJ] Illegal Alien, Wanted Criminal Captured In Brick, Returned to El Salvador

[Shore News Network](#) [9/3/2018 8:00 AM, Staff, NJ] reports that a 25-year-old El Salvadoran fugitive, a member of the notorious gang Mara Salvatrucha, and wanted in his home country for criminal conspiracy, was removed from the U.S. Friday, August 24, by U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO). Melvin Isaac Martinez-Guevara departed the U.S. and was turned over to El Salvadoran law enforcement authorities where he is wanted for the offense of criminal conspiracy. He unlawfully entered the United States on an unknown date and location without being inspected, admitted, or paroled by an immigration officer.

On June 10, 2017, the Brick Township Police Department in Brick, NJ arrested him on criminal charges and referred Martinez to ICE ERO after record checks revealed he was wanted in his home country of El Salvador for criminal conspiracy. ERO Newark arrested him and placed him in ICE custody pending removal proceedings. On June 27, 2018, the Immigration Judge ordered Martinez removed from the United States to El Salvador. "This individual, a known member of the murderous Mara Salvatrucha gang, entered the country illegally, already being wanted in his home country for criminal conspiracy," said John Tsoukaris, field office director of ERO Newark. "The brave men and women of ICE have once again removed a dangerous criminal from the community."

[PA] 7 previously deported undocumented immigrants found in Central Pennsylvania, indicted

[York Daily Record](#) [9/1/2018 12:21 PM, Brandie Kessler, 17K, PA] reports that seven undocumented immigrants who were previously deported were indicted Wednesday by a federal grand jury for illegal reentry into the United States, according to a news release from the Department of Justice. Under federal law, six of the seven undocumented immigrants face a maximum penalty of two years of imprisonment, a term of supervised release following imprisonment, and a fine, according to the news release. These cases were investigated by U.S. Immigration and Customs Enforcement and Removal Operations.

Reported similarly:

[FOX 43](#) [8/31/2018 11:07 AM, Keith Schweigert, 25K, PA]

[Daily Item](#) [8/31/2018 11:32 AM, Staff, 15K, PA]

[VA] ICE submits detainer request for two men charged in Chesterfield fatal hit-and-run

[WRIC TV](#) [8/31/2018 6:54 PM, Staff, 31K, VA] reports the United States Immigration and Customs Enforcement agency, known as ICE, submitted a detainer request with Chesterfield County jail to hold two men from Guatemala charged in a fatal hit and run that killed a 4-year old and seriously injured three others. On August 25, a Dodge Ram truck struck a Toyota Camry at the intersection of Belmont Road and Sue Jean Drive. According to police, the occupant of the truck fled the scene of the crash. Police located the suspect vehicle and initially charged Edilberto Hernandez-Perez with felony hit-and-run and driving without a license. Another man, Jose A. Gonzalez-Florez, was later identified as the driver.

He was arrested Monday and charged with felony hit and run, driving while suspended and possession of a controlled substance. Gonzalez-Florez left the truck near Lamplighter Drive and fled on foot to Hernandez-Perez's residence. Hernandez-Perez reportedly drove Gonzalez-Florez back to his home afterward. Court records show Gonzalez-Florez has had a long history of traffic violations. ICE officially made its request to Chesterfield County jail on Tuesday to hold Hernandez-Perez, and 8News has learned that another detainer request for Gonzalez-Flores is in place. 8News reached out to ICE on the status of its detainer request. "On Aug. 28, U.S. Immigration and Customs Enforcement lodged a detainer with the Chesterfield County jail on unlawfully present Guatemalan national Edilberto Hernandez-Perez following his arrest on local charges," an ICE spokesperson shared by email.

[FL] Mother Held by ICE Over Traffic Ticket Freed After Posting \$20,000 Bond

[Miami New Times](#) [8/31/2018 8:00 AM, Jerry Iannelli, 127K, FL] reports earlier this year, New Times detailed the horrific case of Maria, a 24-year-old who fled persecution in Guatemala, gave birth to multiple American children, and wound up jailed in an ICE detention facility in South Florida after she was arrested while trying to pay a \$150 traffic fine. Speaking from inside the detention center, Maria told New Times in Spanish that she was allowed to see her three young children only an hour or two each week and that her 9-year-old daughter was afraid she'd also be detained if she visited her mom. Maria — whose name New Times changed because her case remains open — is finally now out of ICE's Broward Transitional Facility in Pompano Beach. Her lawyer, Jonathan Urrutia of the Legal Aid Service of Broward County, says Maria's immigration case was reopened and she was allowed to post bail for her release. The only problem: In exchange for her release, ICE demanded \$20,000, an amount typically given to accused felons or multi-time offenders. "[It's] a ridiculous amount for a single mother of three who has been detained for two months now," Urrutia says.

[OH] Thirteen Illegal Immigrants Indicted After ICE Nabbed Them, Detained Over 100 Others

[The Daily Caller](#) [8/31/2018 5:09 PM, Neetu Chandak, 984K, DC] reports 13 illegal immigrants were indicted for immigration-related offenses Wednesday as a result of U.S. Immigration and Customs Enforcement arresting more than 100 workers at a Ohio food company in June. The 13 were indicted on charges of providing false statements of citizenship and presenting fake forms of identification, like driver's licenses and social security cards, according to Cleveland.com on Thursday. The individuals allegedly provided false information to be eligible for employment opportunities in the U.S. Eleven were from Guatemala and two were from Mexico with ages ranging between 18 and 46 years old, the U.S. Attorney's Office for the Northern District of Ohio reported Thursday. ICE arrested 146 people at Fresh Mark, a meat supplier, in the Salem and Massillon locations, according to Cleveland.com. Those arrested primarily originated from Guatemala and were arrested because authorities believed them to be in the U.S. illegally. Over "80 were detained for immigration proceedings and about 40 remain in custody, according to an ICE spokeswoman," reported The Vindicator. The ICE spokeswoman added that many of the detainees were released for health and family concerns while volunteers said some entered the U.S. legally, but did not have proper documentation at the time of arrest, according to The Vindicator. The state of Ohio had 9,507 pending cases in immigration court as of Friday, according to Syracuse University's Transaction Records Access Clearinghouse

data. Guatemalans, additionally, made up 17 percent of immigration court proceedings from October 2015 to February 2016, another TRAC report said.

[IN] Threats lead to warrants, immigration arrest

[Tribune Star](#) [8/31/2018 6:13 PM, Staff, 8K, IN] reports a man apparently in the country illegally and most recently residing in Seelyville faces multiple criminal charges after a Brazil Police Department investigation into reports of workplace harassment. That man – who has used the name Erick Pedraza in Vigo County but was working in Putnam County under the name Jose Figuero – has been transferred from the Clay County Jail to Daviess County. He was wanted in Daviess County on warrants under the names Eric Hernandez and Juan Ortiz, and possibly others. Officers found the man possessed two identification cards – one from Oklahoma and one from Indiana. Officers contacted U.S. Immigration and Customs Enforcement, and found out the man has been deported twice.

[IA] Illegal alien sentenced to prison for illegally reentering the U.S. to live in Iowa following deportation

[North Iowa Today](#) [9/1/2018 1:48 PM, Staff, 1K, IA] reports that a Guatemalan man who illegally returned to the United States after being deported was sentenced today to more than three months in federal prison. Gerardo Lopez-Mendez, age 32, a citizen of Guatemala illegally present in the United States and residing in Cedar Falls, Iowa, received the prison term after a July 3, 2018, guilty plea to one count of illegal reentry into the United States. At the guilty plea, Lopez-Mendez admitted he had previously been deported from the United States in 2014 and illegally reentered the United States without the permission of the United States government. Lopez-Mendez was found by immigration agents in Cedar Falls in May 2018 following a traffic stop of a vehicle containing six illegal aliens. The case was prosecuted by Assistant United States Attorney Daniel C. Tvedt and investigated by Department of Homeland Security, Immigration and Customs Enforcement, Enforcement and Removal Operations.

[LA] N.O. family faces possible separation and deportation; immigration attorney tries to fight decision

[FOX 8](#) [9/2/2018 5:05 PM, Tiffany Wong, LA] reports that a local immigrant family's future is unclear after ICE denied a recent request. Now an attorney is fighting for the Honduran family to stay together, and he says there is a way to do it legally. Koriel Escobar spent time with her family in the park Saturday morning. These could be her final days in the United States. She came here in 2014 to live with her now-husband, Victor Solis, who is a lawful permanent resident. "She was apprehended by customs and border patrol, and since she was pregnant, they let her go because they did not have the capacity to take care of her. At that time, she was not a priority as she is now," said immigration attorney Marco Balducci. Balducci said Escobar is out of status. The government wants to deport her, but Balducci said there is a way to fix her status legally without years of separation from her family. "We are asking ICE to give her that chance. Right now, ICE has denied her initial request of a stay, her initial request for a stay of deportation," Balducci said. Balducci said he'll contest that and submit another one.

[TX] In the Wake of ICE Arrests, Community Leaders, Groups Seek 'More Compassion' for Families

[KETR](#) [8/31/2018 7:07 PM, Scott Morgan, TX] reports U.S. Immigration and Customs Enforcement said Friday that the number of undocumented workers arrested in an

enforcement raid on a Sumner-area business is 159. Of those, 145 were Mexico nationals. The remainder a mix of Guatemalan, Honduran, and Salvadoran nationals. In a statement, ICE said six of those arrested (five men, one woman) went before a federal immigration judge and were released on "humanitarian grounds." The remainder are in ICE custody at facilities in Northern Texas and Southern Oklahoma, pending depositions of their case and criminal background checks. The arrests followed an August 28 enforcement action against Load Trail, a manufacturing business based just outside of Sumner, in Lamar County. Reaction to the Aug. 28 enforcement action has generated a much grassroots support for those arrested and their families. In addition to protests in and near Paris, community groups are blasting ICE's actions against trailer maker Load Trail. [Editorial note: consult source link for audio]

[NM] Days after child-abuse charges are dismissed, New Mexico compound suspects are arrested again

[Washington Post](#) [8/31/2018 8:57 PM, Eli Rosenberg, 11614K] reports federal law enforcement officials arrested the five people found with 11 children at a remote New Mexico compound in early August, charging them with violating federal firearm and conspiracy laws, they announced Friday. The case involving the group, Siraj Ibn Wahhaj, 40; Jany Leveille, 35; Hujrah Wahhaj, 37; Subhannah Wahhaj, 35; and Lucas Morton, 40, has been subject to wide scrutiny after law enforcement officials raided the compound and said the group members were Muslim "extremists," and charged them with nearly a dozen counts each of child abuse. Multiple judges said that prosecutors had done little to prove the claims made in the case, and recently, two judges dismissed the child abuse charges against the group after state prosecutors missed a window for presenting evidence at preliminary hearing. Three of the defendants, Hujrah Wahhaj, Subhannah Wahhaj, and Lucas Morton, had been released from jail on Thursday. One judge, Sarah Backus, said that there was no evidence presented in court that the guns seized from the group were illegally possessed. Federal officials said that Leveille, who is from Haiti, is an illegal immigrant, and charged her with possession of a firearm and ammunition as it related to her lack of lawful residency. The other four defendants are charged with aiding, abetting and conspiring with her in the alleged offense.

The [Associated Press](#) [9/1/2018 5:58 PM, Morgan Lee] reports that the U.S. Attorney's Office in Albuquerque said Leveille has been charged with being an alien unlawfully in possession of firearms and ammunition. The other four people are charged with conspiring with Leveille. They include Lucas Morton; his wife, Subhannah Wahhaj; and her sister Hujrah Wahhaj. Federal immigration authorities have accused Leveille, a native of Haiti, of residing illegally in the U.S. for 20 years after overstaying a visitor's visa, though she was authorized to work in the U.S. from April 2017 through April 2018.

Reported similarly: [Albuquerque Journal](#) [8/31/2018 9:56 PM, Edmundo Carrillo, 55K, NM]

[AZ] Immigration and Customs Enforcement sweep nets 78 arrests in Arizona

[ABC 15](#) [9/1/2018 4:16 PM, Nick Ciletti, AZ] reports that the U.S. Immigration and Customs Enforcement agency says a week-long special operation all over Arizona netted the arrests of 78 immigrants, including some who had been convicted of serious crimes in the past. Field office director Henry Lucero said Friday that the operation in Phoenix, Yuma, Flagstaff and other areas last week ended with the arrest of dozens of people with serious convictions like aggravated assault, kidnapping, drug trafficking and domestic violence.

ABC15's Nick Ciletti went rode along exclusively with ICE as they made the arrests, in one morning, taking five Valley men into custody. Nearly 30 of those arrested had DUI convictions. Other crimes included illegally re-entering the country and drug trafficking.

"We make every effort to identify them, to locate them, and to arrest them as soon as we can," explained Alex Almeda, Asst. Field Officer, Dir. of Enforcement and Removal Operations. After they're arrested, the detainees are transported to ICE's facility in Phoenix where they are fingerprinted, interviewed, and processed, then placed into holding cells for no more than 12 hours. Most will be transported to a detention center in Florence; for some, these will be their last moments in the U.S. before they are deported. Lucero said in average weeks, the agency's Arizona officers book more than 1,000 immigrants into custody, remove 300 people from the country, take 150 people from county jails after they're released and raid drop houses, including one in the Phoenix area recently that netted the arrest of 19 immigrants and the seizure of an illegally-owned automatic rifle. Lucero said Arizona is the second-busiest area for ICE officers in the country. [Editorial note: consult source link for video]

Reported similarly:

[Arizona Republic](#) [8/31/2018 5:11 PM, Pamela Ren Larson, 665K, AZ]

[FOX 10](#) [9/1/2018 8:25 PM, Associated Press, 27K, AZ]

[CA] Illegal Immigrant Tossed From Fence After First Attempted Prison Break At California Jail Holding Detainees

[The Daily Caller](#) [8/31/2018 1:05 PM, Neetu Chandak, 984K, DC] reports that an illegal immigrant was tossed from a fence after an alleged attempted prison break at a California jail Saturday. Victorville, California, prison officials pulled down Giancarlo Sanchez-Garcia after he allegedly climbed a fence between two houses around 12:30 p.m. The escape was believed to be the first attempted prison break by a detainee since they were brought to the facility in June, The Daily Press reported Thursday. Illegal immigrants were brought to the Victorville Federal Correctional Complex on June 8. Nearly 600 inmates were moved to another facility within the complex to make room for the nearly 1,000 detainees that would be housed, The Daily Press reported on June 8. The detainees were expected to stay in the Victorville prison for up to 120 days until U.S. Immigration and Customs Enforcement could find more beds or the illegal border crossings from Mexico decreased.

[CA] Community Raises \$80,000 to Post Bond for Man Detained by ICE at Richmond Jail

[KQED](#) [9/1/2018 8:59 PM, Sara Hossaini, 194K, CA] reports immigrant rights advocates who helped raise tens of thousands of dollars to bail out an undocumented immigrant celebrated his homecoming Saturday outside the Richmond jail where he's been detained since last March. Hugo Aguilar was one of the last eight immigrants being held at the West County Detention Facility before it closed its immigration wing last week under public pressure to sever ties with Immigration and Customs Enforcement (ICE). "I wish that no one would have to go through what I went through," Aguilar said. "I think for freedom there is no price." But in Aguilar's case, there was: \$80,000. That's the amount that a judge set at a hearing on August 22 to determine what should happen to Aguilar once the West County Detention Facility stopped housing federal immigration detainees. "The immigration judge that presided over Hugo's bond hearing retaliated against the immense display of community support by setting an exorbitantly high bond," said Rebecca Martin, the national

visitation coordinator and an independent monitor for Freedom for Immigrants, an organization working to abolish ICE detention. "The highest I've ever seen."

[KRON](#) [9/1/2018 10:50 PM, Philippe Djegal and Aja Seldon, 131K, CA] reports that ICE agents detained Aguilar in 2017 after a domestic violence incident alerted the agency of his immigration status. A federal judge required he post an \$80,000 bond that advocates helped raise in six weeks.

[NBC Bay Area](#) [9/2/2018 1:13 PM, Anser Hassan, 169K, CA] reports NBC Bay Area reached out to ICE but they were unavailable for comment. However, in a recent email to NBC Bay Area they said such accusation against ICE are baseless and "when ICE is not allowed to work with local jurisdictions to house detainees closer to their families, friends and attorneys, farther facilities must be utilized."

Reported similarly: [Breitbart](#) [9/2/2018 2:34 PM, Warner Todd Huston, 2213K]

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Wednesday, Sept. 5, 2018

Executive Office for Immigration Review

[CA] California has largest immigration court backlog, others growing faster.... 2

Policy and Legislative News

Federal judge denies request from Texas to end DACA program 2

Dems demand plan for reunifying 500 children still separated from families.... 3

Separated children in U.S. opt to join their deported parents 3

Feds Not Doing Enough to Keep Unaccompanied Minors Safe: Report.. 3

How Fingerprinting Parents Seeking Asylum in the United States Endangers Both Them and Their Children 4

Coffman Introduces 'TPS Extension Act of 2018' 5

President Trump's in-laws benefited from chain migration. That's a good thing. 5

[NY] Military bases enforcing U.S. immigration laws may be exceeding their authority 5

[TN] Tennessee jail refuses ICE request on detaining immigrants 6

[TX] African migrants surge at U.S.-Mexico border; Rio Grande drownings up 6

[NM] New Mexico compound residents appear in court..... 7

[CA] PolitiFact California: Does ICE Have Unlimited Authority To Make Courthouse Arrests?..... 7

[CA] Under Zero Tolerance, Illegal Border-Crossers Can Be Treated More Harshly Than Their Smugglers 7

Legal News

Vague Notices Don't End Immigration Court Proceedings: BIA 8

Hunton Immigration Law Blog: Sessions Nullifies BIA Decision In Case With Far-Reaching Impact For Victims Of Gang-Based And Domestic Violence 8

Wyoming And Colorado Groups Join Forces On Immigrant Aid Response.... 9

Timely new ABA book tells fascinating, controversial stories of immigration 9

Immigration Services News

Who Will Be Hurt By The Latest USCIS
Decision On H-1B Visas? 9

Enforcement News

How undocumented immigrants prepare
for life after deportation 10

A reporter detained: On life inside ICE
camps..... 10

[MA] Deported Dominican man pleads
guilty to illegally re-entering the U.S. . 11

[CT] Stuck in citizenship limbo:
Connecticut ex-con has been in ICE
custody for three years because he
can't prove he's a U.S. citizen 11

[VA] 24/7 vigilance, a live-in lawyer and
embracing activism: two months of
claiming sanctuary in a Richmond
church's basement..... 11

[WV] Mexican man sentenced for
immigration crime 12

[OH] Emergency Stay Filed To Block
Deportation of Black Mauritanian..... 12

[MN] Augsburg University professor
facing deportation gets to stay for now
..... 12

[TX] ICE reports 55 people are still in
custody after raid at Load Trail 12

Executive Office for Immigration Review

[CA] California has largest immigration court backlog, others growing faster

[San Diego Union-Tribune](#) [9/4/2018 8:00 AM, Kate Morrissey, 320K, CA] reports that California has the largest immigration court backlog, but the number of pending cases is growing more rapidly in other states, according to a new report. Average wait times for hearings are also lengthening, according to the Transactional Records Access Clearinghouse of Syracuse University, an organization that analyzes data from immigration courts. Regardless of political stance on immigration, most involved in the system agree that, for years, there haven't been enough immigration judges for the volume of cases coming in. While the Trump administration has hired more judges, the backlog continues to grow. Nationwide, the backlog grew to 746,049 cases through the end of July, according to TRAC. About 80 percent of those cases are in 10 states – California, Florida, Georgia, Illinois, Maryland, Massachusetts, New Jersey, New York, Texas and Virginia.

Dockets solely consisting of cases for people held in immigration detention centers move faster because the Executive Office for Immigration Review, an agency within the Department of Justice that is responsible for immigration courts, prioritizes detained cases. Speaking generally about the backlog issue, a spokesman for EOIR pointed out that since the end of January 2017, the agency has hired 82 immigration judges, bringing the total number of immigration judges nationwide to 351. The EOIR spokesman added that an electronic filing system being piloted in San Diego is also expected to help with the backlog.

Policy and Legislative News

Federal judge denies request from Texas to end DACA program

[Daily Texan](#) [9/4/2018 1:56 AM, Megan Menchaca, 10K, TX] reports that a federal judge ruled on Friday against a case that would have stopped recipients of the Deferred Action for Childhood Arrivals program from renewing their enrollment. In his ruling, U.S. District Judge Andrew Hanen of the Southern District of Texas declined to issue an injunction against DACA, which protects more than 700,000 children of undocumented immigrants from being

deported, because the lawsuit was brought six years after the law was created by President Obama in 2012. "Here, the egg has been scrambled," Hanen wrote in his ruling. "To try to put it back in the shell with only a preliminary injunction record, and perhaps at great risk to many, does not make sense nor serve the best interests of this country." The lawsuit, filed by Texas and six other states May 2018, argued that DACA was causing irreparable harm to their healthcare and job markets and that Obama exceeded his constitutional authority when creating the law.

Dems demand plan for reunifying 500 children still separated from families

[The Hill](#) [9/4/2018 10:37 AM, Rafael Bernal, 3846K] reports that House Democrats on Tuesday demanded that the Trump administration provide its plan to reunify more than 500 undocumented children who remain separated from their parents as a result of the government's zero-tolerance immigration policy. The administration has failed to implement an adequate reunification plan, according to a letter signed by Minority Whip Rep. and 19 members of the Congressional Hispanic Caucus. "Since the Administration instituted and rescinded the zero-tolerance policy, which purposefully targeted and separated migrant children from their parents, we have yet to see the Administration present a cohesive, well-executed inter-agency plan or inter-governmental coordination with Guatemala, Honduras, El Salvador, and Mexico to ensure that these children are reunited with their families," the 20 House Democrats wrote in a letter addressed to Homeland Security Secretary, Health and Human Services Secretary Alex Azar, Secretary of State and Attorney General.

Separated children in U.S. opt to join their deported parents

[Global Times](#) [9/4/2018 7:33 PM, Staff, China] reports under oath before a US immigration judge, 14-year-old Sandy quietly asks the authorities to send her back to her native Guatemala, which she had left only months earlier. In a barely audible voice, she affirmed to a judge in Los Angeles her decision to opt for "voluntary departure." She is one of 445 children who as of Thursday were still in US custody, the bitter fruit of US President Donald Trump's policy of "zero tolerance" of illegal immigration. Sandy entered Arizona on May 17 at the height of US enforcement of the policy that ultimately led to more than 2,600 children being separated from their families. Of those, 2,157 have now been reunited with their families. The government says it has seen a rise in the number of children asking to leave the country voluntarily to rejoin their parents. A report released on Thursday detailed 15 cases so far, adding that the government would "facilitate and pay for" return transportation. Judge Ashley Tabaddor, who for nine years has dealt with cases of "unaccompanied minors," said that voluntary departures are not common in her court. But the current group of children is hardly typical. When it separates a family, Tabaddor said, "our government is creating an unaccompanied child." It was Tabaddor, who is president of the National Association of Immigration Judges, who heard Sandy's case, granting the government 120 days to prepare for the girl's return.

Feds Not Doing Enough to Keep Unaccompanied Minors Safe: Report

[Epoch Times](#) [9/4/2018 5:28 PM, Charlotte Cuthbertson, NY] reports under the Obama administration, the discovery that unaccompanied children were entering the country, mostly illegally, across the Southwest border, and subsequently being placed with human-trafficking rings, galvanized a Senate subcommittee to investigate. Three years and many recommendations later, the committee says not enough has changed. In 2014, during an unprecedented surge of unaccompanied minors crossing the border, the Office of Refugee Resettlement placed eight children into the hands of traffickers, according to a report by the

Senate Permanent Subcommittee on Investigations, released on Aug. 15. "The traffickers put the children into forced labor on an egg farm in Marion, Ohio," the report states. "The children worked for no pay for 12 hours a day, six to seven days a week, and lived in deplorable conditions. The traffickers threatened them and their families with violence if the children did not comply with them." The traffickers lured the children into the United States over a four-month period, with promises of education and a better life, the report said. In the 2014 case, the human traffickers posed as family members or friends of the family to the eight children, and ORR placed them, without conducting background checks or site visits. Six of the seven traffickers have subsequently been convicted, with one case still to be decided.

In recent years, around 6,000 to 7,000 unaccompanied minors have failed to attend their immigration court hearings, each year, according to James McHenry, director of the Executive Office for Immigration Review. He said more than 80,000 unaccompanied minor cases are pending, which is about 11 percent of the overall pending caseload. While failing to appear in immigration court automatically places an alien into removal proceedings, almost no unaccompanied minors are ever removed. By definition, an unaccompanied alien child is under 18 and has no parent or legal guardian in the United States, or no parent or legal guardian in the United States who is available to provide care and physical custody, according to the Department of Homeland Security. Regardless, Homeland Security determined that about 60 percent of the children initially determined to be "unaccompanied alien children" are released by ORR within an average of 57 days to a parent already living illegally in the United States.

How Fingerprinting Parents Seeking Asylum in the United States Endangers Both Them and Their Children

[Teen Vogue](#) [9/4/2018 8:00 AM, Elaine Murphy] reports every year since 2005, there are between 7,000 and 9,000 children who have trekked thousands of miles by themselves from their homes, primarily from Honduras, Guatemala, and El Salvador, to the United States, hoping to reunite with their family members. Many are fleeing violence, poverty, and domestic abuse. Their age — many 18 years old or younger — makes them more susceptible to risks along the way, such as sexual and physical assault, abuse by other migrants, and inability to find shelter. Now, however, agencies are making these family reunions even more difficult. In an April memorandum of agreement, the offices of Health and Human Services (HHS) and the Department of Homeland Security (DHS) announced they would be fingerprinting all sponsors, including parents, and could use the information for immigration enforcement — adding another layer of fear and distrust to an already tense immigration climate in which undocumented immigrants are being targeted for criminal conviction and deportation because they were seeking asylum in the U.S.

Once they cross the U.S. border, unaccompanied children are taken into youth detention centers run by the Office of Refugee Resettlement (ORR), a division of HHS, as they have been since 2003. With the influx of roughly 2,300 children who have been separated from their families at the border since May, ORR facilities are currently housing almost 11,000 children. Previously, ORR fingerprinted extended family sponsors but not parents in many cases, and did not use the data to enforce immigration laws. Now, any adult living in the child's potential placement home, including parents, must provide fingerprints and their immigration status, in addition to a full background check with sensitive biographic information such as criminal history and Social Security number, if applicable. This

information is shared with Immigration and Customs Enforcement (ICE), which will use this information to conduct immigration checks, and will keep the data for five years.

Coffman Introduces 'TPS Extension Act of 2018'

[Rep. Mike Coffman](#) [9/4/2018 4:10 PM, Staff] reports today, U.S. Representative Mike Coffman (R-CO) introduced H.R. 6696, the 'TPS Extension Act of 2018'. The legislation, if enacted, would extend the government program known as Temporary Protection Status (TPS) for all current participating countries through September 15, 2021. Currently, the ten countries that participate in the TPS all have expiring dates extending into 2020, with the most pressing being Sudan, expiring November of 2018. "This legislation is aimed at providing certainty and stability to those living under TPS, as Congress and the Administration debate a path forward. Having separate expiration dates for different countries causes unnecessary hardship on a population already facing uncertainty about their futures," said Coffman. Currently all who reside in the U.S. under TPS have paid a processing fee, have gone through a background and criminal check and have been granted work documents from U.S. Citizenship and Immigration Services (USCIS). According to a Congressional Research Service report, there are currently over 436,000 total TPS enrollees, of which approximately 90% are from El Salvador (262k), Honduras (86k), Haiti (58k) and Nicaragua (5k).

President Trump's in-laws benefited from chain migration. That's a good thing.

[Washington Post](#) [9/5/2018 6:00 AM, Walter D. Kamphoefner] reports President Trump has long railed against "chain migration" and continues to threaten to end family-preference immigration visas, despite the fact that his in-laws Viktor and Amalija Knavs were granted U.S. citizenship through the first lady's sponsorship. But Trump did not originate attacks on chain migration. The anti-immigration lobby with the mendacious acronym FAIR (Federation of American Immigration Reform) has been denouncing chain migration on its website for more than a decade, arguing that current policy has made U.S. immigration less meritocratic, because "most migrants receive a green card simply because they are the relative of an earlier migrant, not because of what they can contribute to American society." Whether through ignorance or intent, FAIR unfairly stigmatizes what has been a normal feature of migration to the United States and around the world for centuries. Chain migration was the predominant form of immigration long before there were visa policies favoring it, and it played a vital role in easing culture shock and promoting acculturation across the centuries.

[NY] Military bases enforcing U.S. immigration laws may be exceeding their authority

[Documented](#) [9/4/2018 3:02 PM, Felipe De La Hoz] reports in July, Pablo Villavicencio, an undocumented immigrant who had applied for a green card and is married to a U.S. citizen, was detained while delivering pizza to the Fort Hamilton Army base in Brooklyn and held for 53 days. While he had previously delivered food to the base without incident, this time he was detained under a 2009 Department of Defense directive called (DTM) 09-012, "Interim Policy Guidance for DoD Physical Access Control." The memo created the legal authority for military bases to vet the identities of visitors seeking "unescorted access" and to have their "fitness" to enter evaluated by checking the National Crime Information Center and Terrorist Screening databases. The memo authorizes bases to use "other sources as determined by the DoD Component" which can include checks with Department of Homeland Security agencies that could reveal immigration status and warrants.

In Villavicencio's case, Ft. Hamilton discovered that an outstanding active Immigration and Customs Enforcement warrant was on file, a Fort Hamilton spokeswoman told the New York Post. "The Army Civilian Police and Security Guard Program," a handbook which lays out the current procedures, policies, and authorities governing the programs, features a section titled "Authority," which says that DASG and Civilian Police (DACP) officers "can apprehend any persons found on the installation or activity for offenses committed on post that are felonies, misdemeanors, breaches of the peace, a threat to property or welfare, or detrimental to good order and discipline." It is not clear if an outstanding civil immigration warrant satisfies any of these conditions. The handbook adds that "such apprehension authority is limited to issuing citations and turning the subject over to the appropriate civilian or military authorities," apparently allowing civilian officers to at least theoretically turn an immigrant over to ICE. An ICE spokesperson didn't respond to questions about any formal enforcement arrangement between ICE and the Army.

[TN] Tennessee jail refuses ICE request on detaining immigrants

[Washington Post](#) [9/4/2018 11:11 AM, Associated Press] reports that non-citizens suspected of living in the U.S. illegally won't be held in a Tennessee jail past their scheduled release dates, despite federal requests to keep holding them. But the Commercial Appeal reports that the Shelby County Sheriff's Office is still cooperating in other ways with U.S. Immigration and Customs Enforcement. In April, the county attorney's office ruled ICE's 48-hour detainer requests likely violated the U.S. Constitution. Sheriff's policy adviser Debra Fessenden says ICE is still notified whenever a non-citizen is booked into the jail. The immigration agency is allowed to make arrests at the facility, and can be notified of suspects' release times. A Tennessee law mandating compliance with ICE detainer requests goes into effect next year. It's unclear how that will affect Shelby County's policy.

[TX] African migrants surge at U.S.-Mexico border; Rio Grande drownings up

[UPI](#) [9/4/2018 3:43 PM, Patrick Timmons] reports Piedras Negras, a city across the U.S.-Mexico border from Eagle Pass, Texas, saw the arrival of more than 90 refugees in the past two months from war-ravaged African countries trying to flee to the United States. Eagle Pass has also seen 15 migrants from Latin American countries dying as they tried to enter the United States this year, either drowning while crossing the Rio Grande river or from heat stroke. Many of the African refugees had been travelling for at least three years, the Rev. José Valdés, an advocate for migrants' rights told UPI in a phone interview from Piedras Negras, where the Catholic Church runs a shelter. "After leaving Cameroon, Angola and the Congo they arrived in South America. Then they made it to Guatemala, and after crossing into Mexico at Tapachula, Mexican authorities provided them with two-week transit visas so they could cross through the country legally to the United States, where they are seeking asylum," Valdés said. "They were fleeing war but some were also escaping persecution for their beliefs," said Valdés, who serves as media spokesman for the Piedras Negras-based Casa del Migrante Frontera Digna shelter and advises immigrants there.

Valdés said the African refugees waited in Piedras Negras until they obtained an appointment with U.S. immigration officers to make their asylum claim. This summer, Customs and Border Protection officers routinely told asylum seekers attempting to enter U.S. ports of entry they would have to wait in Mexico until an appointment with an immigration officer became available. The practice of making asylum seekers wait in Mexico sparked criticism as possibly in violation of U.S. international treaty obligations. It also

forced migrants to sleep rough in Mexican border cities like Tijuana, Matamoros and Nogales, a situation Piedras Negras wanted to avoid. Until last week, the number of Africans arriving each day overwhelmed Piedras Negras' two migrant shelters. One of the shelters is run by the city and usually only accommodates minors, but city officials relaxed that restriction to house the African refugees.

[NM] New Mexico compound residents appear in court

[Washington Post](#) [9/4/2018 1:30 PM, Associated Press] reports five former residents of a ramshackle compound in northern New Mexico where a 3-year-old boy's body was found last month have made their first appearance in federal court on firearms-related charges. Tuesday's court hearing in Albuquerque focused on allegations against Jany Leveille of illegal possession of firearms and ammunition linked to her unlawful immigration status and conspiracy accusations against the four other defendants. The judge scheduled a detention hearing for Leveille and the others on Wednesday. Public defenders are expected to be appointed soon for all five defendants. State prosecutors also have said they plan to seek indictments in connection with the death of Siraj Ibn Wahhaj's son and living conditions at the compound where 11 children were found living in filth.

[CA] PolitiFact California: Does ICE Have Unlimited Authority To Make Courthouse Arrests?

[PolitiFact California](#) [9/4/2018 1:33 PM, Chris Nichols, 34K, CA] reports that California's supreme court chief justice and immigrant rights groups criticized ICE last month after the federal agency arrested an undocumented man inside a local Sacramento courtroom. The unusual move is believed to be the first by the U.S. Immigration and Customs Enforcement Agency inside a Sacramento Superior Court room and follows multiple arrests by the agency inside Fresno's local courthouse earlier this summer. Richard Rocha, an ICE spokesman, said California's sanctuary law has forced the agency to make more arrests in public places instead of at local jails.

California Supreme Court Chief Justice Tani Cantil-Sakauye has acknowledged the courthouse arrests are "perfectly legal." She originally spoke out last year against them saying, "witnesses and victims will no longer come to court to report or bear witness against the bad guys, and will not report crimes." Her comments drew a rebuke from U.S. Attorney General Jeff Sessions who criticized her characterization of ICE agents "stalking" undocumented immigrants in courthouses. Rocha, the ICE spokesman, said the federal agent had a criminal warrant for the man's arrest and that arrests at courthouses reduce public safety risks because individuals have already been screened by security. He said the agency has no plans to stop arrests at courthouses.

[CA] Under Zero Tolerance, Illegal Border-Crossers Can Be Treated More Harshly Than Their Smugglers

[Voice of San Diego](#) [9/4/2018 6:00 PM, Maya Srikrishnan, 18K, CA] reports that the Trump administration's zero-tolerance approach to immigration has led to lose-lose situations for so-called material witnesses – people who have been smuggled into the United States but help prosecutors build cases against their smugglers, often in exchange for not being prosecuted for their own illegal entry into the country. Some material witnesses have been kept in Border Patrol stations for weeks before they receive a first court hearing, as prosecutors and U.S. Marshals struggle to manage the surge in immigration prosecutions that began in the spring.

That creates a perverse situation in which people who aren't being charged with a crime are actually treated more harshly than those who are, attorneys say. According to the Immigration and Nationality Act, criminal penalties for human smuggling or "bringing in and harboring certain aliens," can result from knowing someone is undocumented and encouraging them to enter the United States illegally, helping them do so, transporting them across the border or housing or hiding them in the United States.

Legal News

Vague Notices Don't End Immigration Court Proceedings: BIA

[Law 360](#) [9/4/2018 4:38 PM, Kevin Penton] reports a recent U.S. Supreme Court decision that requires the federal government to include time and place information on notices to appear that it serves immigrants is limited to the so-called stop-time rule, the Board of Immigration Appeals determined as it tossed the case of a Mexican man whose notice did not include the information. The BIA held that the Supreme Court's June decision in *Pereira v. Sessions* was limited to the stop-time rule, which relates to the period an immigrant must continually reside in the U.S. to use a certain legal tool to stay, according to the board's Friday decision. The BIA held that because the high court's ruling is limited to that issue, it does not invalidate all notices to appear that do not contain the time and date information. The immigrant, German Bermudez-Cota, received a notice to appear in August 2013 that did not include the relevant information and a notice of hearing a month afterward that cited May 13, 2014, at 1 p.m. as the date and time for the hearing, which he attended, according to the decision. Following the Supreme Court's *Pereira* ruling, Bermudez-Cota challenged an immigration judge's October 2017 ruling denying his bid for an administrative closure of his case, arguing that his case should be terminated after the *Pereira* decision, according to the decision by the BIA, which disagreed.

Hunton Immigration Law Blog: Sessions Nullifies BIA Decision In Case With Far-Reaching Impact For Victims Of Gang-Based And Domestic Violence

[Mondag](#) [9/4/2018 4:38 PM, Susan Kern] reports in a closely watched asylum appeal, Attorney General Jeff Sessions has issued a decision that will adversely affect the ability of victims of domestic and gang violence to find protection in the United States. Matter of A-B- was originally decided, in December 2016, in favor of the asylum seeker by the Board of Immigration Appeals. The BIA is an administrative branch of the U.S. Department of Justice. It accepts appeals, filed by either government attorneys or immigrants, of decisions made by civil immigration courts throughout the country. In late 2016, the BIA overturned the 2015 denial of A-B-'s asylum claim by a judge in Charlotte, North Carolina, where asylum was denied at a rate of 72 to 84.5 per cent between 2011 and 2016. Finding the denial was "clearly erroneous," the BIA said A-B- had proven she was persecuted based on membership in a "particular social group"; specifically, "El Salvadoran women who are unable to leave their domestic relationships where they have children in common." In March 2018, Sessions referred the BIA's decision to himself – a controversial practice that gives a political appointee, and the head of a law enforcement agency, absolute power to overturn the decision of an independent and neutral tribunal of administrative judges. Sessions's decision yesterday, which comes as a surprise to no one, vacates the BIA's grant of asylum as "wrongly decided" and says: "The mere fact that a country may have problems effectively policing certain crimes — such as domestic violence or gang violence — or that certain populations are more likely to be victims of crime, cannot itself establish an asylum claim."

Calling it "an affront to the rule of law," a group of 15 former immigration and BIA judges said Sessions's finding erased "a 15-year process through the immigration courts and BIA" to develop nuanced and reliable legal standards on the "particular social group" basis for asylum.

Wyoming And Colorado Groups Join Forces On Immigrant Aid Response

[Wyoming Public Media](#) [9/4/2018 1:09 PM, Melodie Edwards, 6K, WY] reports that an immigrant advocacy organization in Wyoming has joined forces with another in Colorado to create what they're calling a Rapid Response Network. The groups plan to work across state lines to provide legal services, discrimination reporting and other aid to the region's immigrants. ACLU Organizer Antonio Serrano is also chairman of Juntos, which means "together" in Spanish. He said the number of people detained has increased by 145 percent at ICE's Colorado-Wyoming field office, according to a recent Homeland Security report.

Timely new ABA book tells fascinating, controversial stories of immigration

[American Bar Association](#) [9/4/2018 2:32 PM, Staff, 159K] reports that rather than traveling over immigration's well-worn legal and political terrain, the new American Bar Association release, "Safe Haven in America: Battles to Open the Golden Door," tells stories – tales of children kidnapped to foreign countries in bitter divorce battles, families all but destroyed by the attack on the World Trade Center, a hero's shabby treatment after standing up to terror and a young DACA recipient becoming the target of a hate attack. "Safe Haven" presents the human face of immigration, covering cases that are as fascinating as they are controversial. Whether it's about the long-term impact of the 9/11 terrorist attacks on immigration policy or the latest twist in separating migrant children from their asylum-seeking parents at the border, author Michael Wildes' opinion has been sought by a range of news organizations, from Fox News to CNN. He speaks with the hard-won experience of more than a quarter-century on the front lines of immigration, as an attorney and as managing partner of Wildes & Weinberg, the premier immigration law practice in the country.

Immigration Services News

Who Will Be Hurt By The Latest USCIS Decision On H-1B Visas?

[Forbes](#) [9/5/2018 12:04 AM, Stuart Anderson] reports On August 28, 2018, U.S. Citizenship and Immigration Services (USCIS) announced it would "extend and expand" its suspension of premium processing for H-1B petitions. Given the frequent use of premium processing for business immigration this announcement carries potentially significant consequences for individuals and employers. To better understand the issue, I interviewed William Stock, a founding member of Klasko Immigration Law Partners, LLP. William has practiced immigration law for more than two decades and is a recent past president of the American Immigration Lawyers Association:

Stuart Anderson: What is premium processing?

William Stock: The Premium Processing Service is offered for some employment-based temporary and permanent petitions filed with USCIS. In exchange for an extra fee of \$1,225, proposed to rise to \$1,425 in October, USCIS commits to adjudicate the petition in 15 days or fewer. If USCIS fails to meet that processing time commitment, then it must return the extra fee to the petitioner.

Anderson: What did USCIS just announce?

Stock: USCIS just reduced substantially the number of H-1B petitions eligible for premium processing for the next five months. No H-1B petition filed on behalf of an H-1B professional changing employers – or changing jobs or location with the same employer – can be filed with premium processing during this suspension.

Anderson: Who do you think will be hurt most by the decision?

Stock: Those hurt most will be employees in H-1B status seeking to leave their current jobs for ones that pay a higher salary. In today's environment of increasing denials and Requests For Evidence, as well as threats to start removal proceedings if a denial leaves an employee out of status, H-1B employees are understandably reluctant to quit a job for which they hold H-1B status until they are sure that the new job is also approved for H-1B status. The next biggest detriment will be to H-1B employees wishing to travel internationally – they may have to put off travel plans if they need their H-1B petition approved in order to return to the United States.

Enforcement News

How undocumented immigrants prepare for life after deportation

[Dallas Morning News](#) [9/4/2018 7:15 AM, Javier Giribet-Vargas, 496K, TX] reports, a bank account. Power of attorney. Dual citizenship. These are some of the strategies the Consulate of Mexico in Dallas recommends for undocumented immigrants to protect their assets in case they're deported. Mexican officials are encouraging Mexican citizens without documentation to be prepared for the disruption of their lives that can come with the deportation of even one family member. Their recommendations include having Mexicans living in North Texas apply for passports and Mexican voting cards in case they need to ease their way back into Mexican society. From January 1st through August 31st, the Consulate processed 2,699 dual citizenship applications, according to spokesman Rubén Ovando. The number of Mexicans who are in this process has been growing, from 977 in 2016 to 2,474 in 2017.

A reporter detained: On life inside ICE camps

[Columbia Journalism Review](#) [9/4/2018 6:45 AM, Emilio Gutiérrez Soto, 71K, NY] reports that last year, my son and I were ordered deported from the United States. Ten years ago, in spite of the danger of working as a journalist in my home country, Mexico, and President Felipe Calderon's "War on Drugs," I never imagined that I would cross the border to the U.S., seeking the protection of the authorities, or that I would twice be imprisoned in holding camps, the second time with my son Oscar at my side. But the decision to request asylum was quick. Crossing the armed forces of my country, the executing arm of the Mexican state under the control of Calderon, was not something to think twice about. I had received serious threats from the Mexican government. Because of my work, I lost access to my true heritage, lost a family, lost a beloved woman, lost a community, lost a Motherland, and was forced to venture out in search of charity.

I was sent to a holding camp, and my son — just 15 years old — to a youth center. And with jail came separation from Oscar, who is my life, my very breath. Our separation was a

disgrace. The limbo began, and it was without mercy. Almost ten years later, the story repeated itself. But this time we were both locked in the same camp for more than seven months. That has wounded me even more. December 7, 2017, we were waiting for an Appeals Court reconsider the deportation ordered by Robert Hought, an immigration judge in El Paso, Texas. We were ordered deported. Without taking into account our appeal, our wrists and ankles were handcuffed and we were about to be forced to cross the border back to a confrontation with our hangmen, the Mexican military officials who are the executing arm of the Aztec Nation. A phone call to ICE officers allowed us to return to the unit that had ordered our deportation. But it did not prevent us from ending up in jail, and this began our painful Viacrucis that I would not wish on any earthly inhabitant.

[MA] Deported Dominican man pleads guilty to illegally re-entering the U.S.

[MassLive](#) [9/4/2018 8:37 PM, Jeanette DeForge, 180K, MA] reports that Radhames Esmereldo Guerrero-Mejia, 34, pleaded guilty to illegal entry of a departed alien Tuesday in U.S. District Court in Boston, said Christina DiLorio-Sterling, spokeswoman for the U.S. Attorney General. He is scheduled to be sentenced on Dec. 4 by U.S. Senior District Court Judge Mark L. Wolf and faces a maximum sentence of 20 years in prison, three years of supervised release and a fine of \$250,000. Guerrero-Mejia also will be subject to deportation after completing his sentence, she said.

[CT] Stuck in citizenship limbo: Connecticut ex-con has been in ICE custody for three years because he can't prove he's a U.S. citizen

[New York Daily News](#) [9/5/2018 6:00 AM, Stephen Rex Brown, NY] reports Andrew Findley finished a 24-year sentence in 2015 for dealing crack — and then his troubles really began. The 44-year-old was taken into ICE custody after doing his time because the government believes he was born in Jamaica and should be deported due to his criminal record. Findley, who says he spent most of his teens and adult life in Bridgeport, Conn., grew up believing he was born in the U.S. Virgin Islands, making him an American citizen. He was released last month after serving three years and three months in ICE custody, fighting deportation. But neither the U.S. nor Jamaica wants Findley, and he remains stuck in citizenship limbo. The unusual case highlights the challenges one faces when unable to prove something most people take for granted: where they were born. "Because there was not a significant likelihood of removal in the foreseeable future, and ongoing litigation regarding his United States citizenship claim, Findley was released from ICE custody on an Order of Supervision, using GPS monitoring. He will continue to report to ICE, as required," an ICE spokeswoman said.

[VA] 24/7 vigilance, a live-in lawyer and embracing activism: two months of claiming sanctuary in a Richmond church's basement

[Virginia Mercury](#) [9/4/2018 3:02 PM, Ned Oliver, VA] reports a knock on the locked church doors prompts an unexpected line of interrogation from a congregation member inside: "Who are you? Why are you here?" The door eventually opens, but only after the person on the other side has verified that the church is indeed expecting a visitor. Taped to the inside is a list of instructions on how to demand a warrant from Immigration and Customs Enforcement agents. The First Unitarian Universalist Church of Richmond began shielding Abbie Arevalo-Herrera from immediate deportation at the end of June. Two months later, she's still here, living in a Sunday school classroom in the basement and making breakfast for her children in the institutional kitchen across the hall, where a sign taped to one of the fridges reads "Abbie's food." She said she never had a chance to ask for asylum and

instead was given a notice to appear before an immigration court. A spokeswoman for ICE, Carissa Curtell, confirmed the agency knows Arevalo-Herrera is at the church, saying in a statement she "is illegally present in the U.S., failed to report to ICE for removal to Honduras and instead took sanctuary in a Richmond, Virginia, church, making her an ICE fugitive."

[WV] Mexican man sentenced for immigration crime

[WSAZ](#) [9/4/2018 11:13 PM, Staff, 43K, WV] reports a man from Mexico was sentenced Tuesday to "time served" for re-entering the United States illegally, U.S. Attorney Mike Stuart said. Eduardo Martinez-Campeano, 47, has been in federal custody for nearly five months. He is subject to deportation, according to a news release from Stuart's office. Investigators say Martinez-Campeano had two felony convictions and three prior deportations. On April 10, Martinez-Campeano was traced to a hotel in Huntington by members of Immigration and Customs Enforcement after receiving a tip that he was in the country illegally and working at a restaurant in Barboursville.

[OH] Emergency Stay Filed To Block Deportation of Black Mauritanian

[Black Star News](#) [9/4/2018 5:53 PM, Staff, 3K, NY] reports that Samba Diaw, a Columbus resident for more than twenty years, is in ICE custody and could be deported at any time. This morning his attorney Emily Brown, with Advocates for Basic Legal Equality, filed an emergency stay with the Board of Immigration Appeals on his behalf.

The plight of Black Mauritians facing persecution, arrest, and being enslaved if deported to their native country has garnered recent attention in The Atlantic, Washington Post editorial board, and Columbus Dispatch. "It is an affront to American values that the government is trying to deport Samba to a country where he will be subjected to slavery and torture," said his attorney, Brown. "We call on ICE to stop the detention and deportation of Samba and the many other Mauritians who have lived in our communities for decades."

[MN] Augsburg University professor facing deportation gets to stay for now

[Minneapolis Star Tribune](#) [9/5/2018 12:13 AM, Karen Zamora, 524K, MN] reports that on Friday, Mzungu Wanyama received a stay of deportation from the Board of Immigration Appeals, meaning his deportation order is temporarily paused until the board makes a decision on reopening his original immigration case, said his attorney, Rachel Petersen.

[TX] ICE reports 55 people are still in custody after raid at Load Trail

[EParisExtra](#) [9/4/2018 5:16 PM, Lea Emerson, 3K, TX] reports that Load Trail LLC in Sumner, Texas, is now working to recover after special agents with Homeland Security Investigations executed federal criminal search warrants Aug. 28, 2018. Official reports indicate that 55 people remain in ICE custody after 159 were detained during the raid. Special Agent Katrina Berger called the raid the largest of its kind in more than a decade. According to a statement by ICE, a total of 159 administrative arrests included five women who were served with notices to appear before a federal immigration judge and were released from ICE custody on humanitarian grounds. There were 98 people released after posting an immigration bond and one person voluntarily returned to Mexico. There are still 55 undocumented workers in ICE custody.

ICE Director of Communications Carl Rusnok said the criminal investigation is ongoing at this time. Many have wondered how Load Trail was flagged and what led to the raid that

took place August 28 and whether or not other local companies are subject to a similar event. "ICE routinely receives leads from many sources," said Rusnok. "ICE also routinely conducts immigration enforcement actions on a daily basis nationwide. For operational security reasons, ICE does not provide advance notification of its future operations."

[KXII-TV 12](#) [9/4/2018 5:09 PM, Staff, 23K, TX] reports that "those arrested were transported to ICE detention facilities in North Texas and Oklahoma," Rusnok said. "They remain in ICE custody pending disposition of their immigration cases. In addition to their immigration violations, each individual is also being vetted to determine if they have been previously removed, or if they have outstanding criminal warrants." Rusnok said some may also be subsequently charged, as appropriate, with various crimes such as: using fraudulent documents, fraud and misusing visas and immigration documents, false claim to U.S. citizenship and identity theft.

[WFAA](#) [9/4/2018 10:32 PM, Jason Whitely, 191K, TX] reports a company insider at a North Texas trailer manufacturer under investigation for hiring dozens of undocumented immigrants told WFAA that company executives knew ways around federal immigration checks.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Thursday, Sept. 6, 2018

Executive Office for Immigration Review

Immigrants in U.S. program spend 25 days longer in detention 2

Policy and Legislative News

Trump is normalizing an inhumane system for monitoring migrants..... 3

Immigrant Groups Slam Bill That Expands 'Crime Of Violence' 4

Deportations, separations not just a Latino issue. They also impact these families 4

U.S.: Deported Parents' Agonizing Wait 5

Donald Trump still falsely claims Obama 'had the same law' separating migrant families 5

U.S. deportations of Haitians increased nearly 1700% in 2017, year on year, following an Obama administration policy change..... 5

Unprecedented mass denials from a U.S. asylum program leave Christians from Iran stranded in Vienna 6

Migrant Activist Who Led Asylum Caravans Released From Jail In Mexico 6

Refugee Advocates Lobby US Congress 6

Pressed by Trump administration, Yoder drops support for Democratic asylum plan 6

'Reestablish the rule of law': Sheriffs honor Trump for fighting illegal immigration 7

Parole vs. Bond in the Asylum System.7

Congress, Don't Throw More Money at Donald Trump's Weaponized Department of Homeland Security 7

[NY] Rensselaer County Sheriff Russo at White House on immigration matters8

[NJ] Grewal To Issue New Guidance On Cooperation With Immigration Agents ..8

[NC] Durham Officials Want to Make Sure No One Ends Up in Immigration Detention Because of Local Policies. Someone Should Tell the Sheriff.....9

[UT] As number of denials increases, Utah asylum-seekers worry about future9

[WA] How A 'Yawner' Of A Vote Made Tacoma A 'Detention City'	9
--	---

Legal News

DACA Recipients Should Hold The Applause On Recent Ruling	10
Immigrant Teens Get ICE Class Action Lawsuit Certified	10
BBA Announces New Immigration-Related Principles and Positions.....	10
Kicking ICE Out of the Courthouses ...	11
An Old Anti-Irish Law Is at the Heart of Trump's Plan to Reshape Legal Immigration	11
[CA] Homan: Bill That Would Ban ICE Courthouse Arrests Is a 'Deterioration' of Country's Foundation	12
[CA] Courthouse ICE Arrests Spark Concerns, But Aren't New	12
[CA] Santa Clara Police Department has special Notario fraud unit.....	12
[CA] Immigrant Detainees In Calif. Federal Prison Seek Class Cert.	12

Enforcement News

Trump admin rejected report showing refugees did not pose major security threat	13
Month-long ICE operation leads to the arrest of 364 undocumented immigrants – including 187 with prior convictions – across six states	13
Farm sector feeling heat from ICE	13
Agriculture lobbyists are once again standing in the way of E-Verify	14
[NY] Lawyers who freed pizza guy from deportation want bill paid	14

[PA] A welcome for two immigrant families taking church sanctuary in Philly	14
---	----

[PA] Joe Giudice Begs Judge To Let Him Remain In U.S. At Deportation Hearing: 'I Want To Stay Here!'	15
--	----

[GA] ICE detainees dwindling in Atlanta jail as contract decision looms	15
---	----

[MS] Mother swept up in immigration arrests sentenced to time served, but kids remain in limbo	16
--	----

[LA] ICE Allowed To Detain Salvadoran Journalist, Judge Says	16
--	----

[IL] As Months Pass in Chicago Shelters, Immigrant Children Contemplate Escape, Even Suicide	16
---	----

[IL] Judge throws book at terrorist arrested boarding plane in Chicago	16
---	----

[MI] Protesters gather at Metro Airport as Mich. father faces deportation.....	17
--	----

[MN] Augsburg professor won't be deported, for now	17
--	----

[IA] Immigrant charged in Iowa student's death was known by alias	18
---	----

[TX] 55 undocumented immigrants remain in ICE custody after one of the largest raids in a decade	18
--	----

[TX] 4 MS-13 Members Charged in Texas Machete Murder in U.S. Illegally, Says ICE.....	19
---	----

[TX] Student activist seeks voluntary departure instead of deportation	19
--	----

[NM] Detention hearing delayed for New Mexico compound residents	19
--	----

[AZ] Migrant mom recounts anguish of being separated from son	20
---	----

[WA] ICE arrests 16 in Whatcom County during 'criminal investigation'	20
---	----

Executive Office for Immigration Review

Immigrants in U.S. program spend 25 days longer in detention

[Washington Post](#) [9/5/2018 4:51 PM, Colleen Long, 874K] reports that a Justice Department review of a program aimed at helping detained immigrants navigate the country's complex immigration court system has found that people in the program had longer detention stays and were less likely to get lawyers than people not in it. But the nonprofit group that manages the program said cases are significantly more likely to be completed faster and called on Congress to investigate before adopting the results. It said the Justice Department review had "insurmountable" flaws, including that it failed to include pending cases, and that skewed results. The Legal Orientation Program began in 2003 with the idea that access to legal counsel would help cases move faster and proceedings become fairer. The Justice Department, which oversees the country's immigration court system, manages the program through a contract with the New York-based Vera Institute of Justice. The program helps more than 50,000 people in immigration detention each year, the institute says.

The review, obtained by The Associated Press on Wednesday, found that detained immigrants in the program were more likely to be allowed to stay in the country when their cases were finished but the majority of those both in and out of the program were ordered deported. Immigrants who can't afford attorneys or find lawyers to handle their cases for free must represent themselves. For many, the program is their only source of legal guidance in an overwhelming system. The report found 8.25 percent of participants detained for their proceedings were granted relief compared with 6.33 percent of those not in the program. And 50 percent of immigrants in the program had legal counsel compared with 55 percent of those not in the program, the report found.

Judge Ashley Tabaddor, president of the National Association of Immigration Judges, said at an April Senate committee hearing on border security that the program had a proven track record of increased efficiency. The immigration courts face a backlog of more than 600,000 cases. But the report, by the Executive Office for Immigration Review, found that program participants had slightly more hearings and were about as likely as those not involved in the program to have cases completed. The program costs about \$8 million annually, and program participants on average spent 25 more days in detention, at a cost to taxpayers of \$3,100 more per person, compared with those not in the program, the report says.

The [Washington Post](#) [9/5/2018 5:04 PM, Associated Press] further reports the Justice Department manages the Legal Orientation Program through a contract with the New York-based Vera Institute of Justice. The institute said Wednesday cases are significantly more likely to be completed faster because of the program. It has called on Congress to investigate before adopting the Justice Department review's results.

Policy and Legislative News

Trump is normalizing an inhumane system for monitoring migrants

[Washington Post](#) [9/5/2018 2:56 PM, Ruthie Epstein, 11614K] reports that as the government struggles to reunite hundreds of immigrant children with their parents after almost 3,000 of them were separated at the border by the Trump administration, U.S. Immigration and Customs Enforcement has reportedly turned to GPS-equipped ankle monitors to keep track of the parents while their cases proceed in court. Ankle monitors are sometimes touted as a substitute for immigration detention – they cost less than \$6 per person per day compared to \$208 per person per day for detention, and they give

immigrants a degree of freedom while ensuring they show up for their court dates, which is the main purpose of immigration detention in the first place. But ICE's reliance on ankle monitors raises serious concerns. Immigrants who have been placed on ankle monitors provided by the private company, BI Incorporated, report pain, discomfort and hospitalization related directly to the ankle monitor units themselves. A 2016 complaint filed with the Department of Homeland Security's Office of the Inspector General describes the case of a Honduran woman who experienced electric shocks, bruising, hair loss, headaches and difficulty breathing after she started wearing an ankle monitor.

Immigrant Groups Slam Bill That Expands 'Crime Of Violence'

[Law 360](#) [9/5/2018 6:26 PM, Nadia Dreid] reports immigrant rights organizations on Wednesday slammed a proposed bill that would expand the federal definition of a "crime of violence," saying the measure would put even documented immigrants at higher risk of arrest and deportation. A violation being classified as a crime of violence can have a profound effect on an immigrant's life, because such offenses can count as aggravated felonies, and being convicted of such a felony makes it much harder to fight deportation. "Because this definition is cross-referenced widely throughout the criminal code and incorporated into federal immigration law, this bill will trigger a significant expansion of the penalties attached to even minor criminal conduct in federal criminal court, exacerbate the mass incarceration crisis, and render even more immigrants subject to the disproportionate penalty of deportation," the National Immigrant Justice Center, the Immigrant Defense Project and other organizations said in a statement.

Deportations, separations not just a Latino issue. They also impact these families

[Fresno Bee](#) [9/5/2018 10:54 AM, Yesenia Amaro, CA] reports that under the Trump administration, the U.S. last year began to deport many Cambodians after imposing visa sanctions against the Southeast Asian country to pressure it to take back deportees. That move was followed by additional visa sanctions issued this year against other Southeast Asian countries, such as Laos and Myanmar, to force them to take back citizens who have been ordered to be removed from the U.S. While Cambodia signed a repatriation agreement with the U.S. in 2002 to send back deportees who had been convicted of crimes in the U.S., the Cambodian government hadn't been cooperative and in 2016 it temporarily stopped accepting deportees. In September 2017, the U.S. announced visa sanctions against Cambodia for failing to take back its deportees. Eritrea, Guinea and Sierra Leone were also struck with visa sanctions at the time for denying or unreasonably delaying accepting citizens. The U.S. had ordered some deportees back to their home countries years ago. Eventually, Cambodia resumed taking back deportees from the U.S.

While deportations are an issue that's mainly been a Latino problem locally and nationally, last year more Southeast Asian communities began to be affected, particularly with the deportations to Cambodia, said Zachary D. Darrah, executive director of Fresno Interdenominational Refugee Ministries. Deportations to Southeast Asian countries are on the rise. "I hope that in some ways ... we'll be able to find points of unity together with our Latino communities in the struggles that they have been experiencing for years," Darrah said. "I hope that can happen because we are stronger together in this battle than we are separated." ICE spokesperson Danielle Bennett said nationwide, 80 people were deported to Cambodia from Oct. 1, 2017, to Aug. 11. Fiscal year 2017, through Sept. 30, 2017, 29 people nationwide were deported to Cambodia. More than 4,000 Laotians and nearly 600

people from Myanmar face deportation under similar visa sanctions the U.S. imposed on their countries in July.

U.S.: Deported Parents' Agonizing Wait

[Human Rights Watch](#) [9/5/2018 1:30 PM, Staff, 244K] reports hundreds of children remain detained in the United States and separated from their parents more than five weeks after a court-ordered deadline to reunify them, Human Rights Watch said today in releasing a new video with Justice in Motion. About 360 of these still-separated parents were deported alone without the children with whom they traveled to the U.S. "The anguish of these families is palpable," said Clara Long, senior researcher with the U.S. Program at Human Rights Watch. In the last two months, Human Rights Watch and Justice in Motion, which protects migrants' rights in Latin America and the United States, have conducted in-depth interviews with parents in El Salvador, Honduras, and Guatemala whose children remain in the United States. Many said they have spent months with no idea why their children have not been released or returned, causing severe psychological harm. [Editorial note: consult source link for video]

Donald Trump still falsely claims Obama 'had the same law' separating migrant families

[Newsweek](#) [9/5/2018 11:01 AM, Jessica Kwong, 2126K] reports that President Donald Trump attacked his predecessor Barack Obama while discussing whether he would shut the government down over immigration before the midterm elections. But Trump's claim about the Obama administration's immigration policy on family separations, which he has repeated before, was false. "You know, Obama had the same policy on separation ... People don't say it, but Obama had the same law that I did, and they separated parents from their children," Trump told conservative website The Daily Caller in a story published Wednesday. "I think you guys understand that."

Trump had tried to downplay the effects of the "zero tolerance" immigration policy his administration implemented in April that dictated that adults found crossing the border illegally face criminal, instead of civil, prosecution. The policy led to parents being detained and separated from their children, who were taken into custody by the government or sent to foster care. "This has been going on for 50 years – longer," Trump said in June, hours before he signed an executive order halting the policy amid widespread criticism. "This has been going on under President Obama, under President Bush, this has been going on for many, many years." Department of Homeland Security Secretary Kirstjen Nielsen in June also misleadingly stated: "The Obama administration, the Bush administration all separated families. They did-their rate was less than ours, but they absolutely did do this. This is not new." Some migrant families were separated under Obama and previous administrations, but they did not institute a blanket policy or law, as Trump stated on Wednesday, prosecuting parents and separating them from their children.

U.S. deportations of Haitians increased nearly 1700% in 2017, year on year, following an Obama administration policy change

[Daily Mail](#) [9/5/2018 7:36 PM, Valerie Bauman, UK] reports deportations of Haitians from the U.S. rose 1699 percent in 2017 compared to 2016, largely due to a change in policy under the Obama administration at the end of his second term, according to government data. In Fiscal Year 2017, 5,578 Haitians were expelled from the U.S. – a significant increase from the 310 who were deported in FY2016, making Haitians the fifth most-

deported population behind Mexicans, Guatemalans, Hondurans and Salvadorans last year. That increase coincided with an overall decrease in deportations from the U.S.: 226,119 people were removed in 2017, nearly 6 percent fewer than in 2016 when 240,255 people were deported, according to federal data. The shift started in September 2016, just before the beginning of FY2017, when the Obama administration announced that it had resumed removing Haitians who were in the country illegally. The Obama administration had halted the practice in all but the most serious criminal of cases following a 2010 earthquake that wreaked long-lasting devastation on the country's infrastructure.

Unprecedented mass denials from a U.S. asylum program leave Christians from Iran stranded in Vienna

[Los Angeles Times](#) [9/5/2018 5:00 AM, Sarah Parvini] reports even as it cracked down on immigration from predominantly Muslim countries in the Middle East and Africa, the Trump administration stressed that the safety of Christians in the region would be a priority. In recent months, however, dozens of religious minorities from Iran have seen their asylum claims denied despite a decades-old program designed to help them. The administration in February rejected the cases of 87 Iranian refugees — an unprecedented move for a program with a near 100% acceptance rate, attorneys said. The government did not provide a reason for the denials, saying it was "a matter of discretion." Some of the refugees, who had traveled to Vienna as part of the asylum process, and family members in the United States filed a class-action lawsuit in U.S. District Court for the Northern District of California. In July, a judge ordered the government to reconsider those cases and said it must disclose individual reasons for the denials, which would allow the applicants to file an appeal. The government estimates it will make final decisions in the reopened cases this month.

Migrant Activist Who Led Asylum Caravans Released From Jail In Mexico

[KPBS](#) [9/5/2018 6:10 PM, Jean Guerrero] reports two activists who were arrested in Tijuana were released from jail Wednesday evening following a day of protests. Alex Mensing of Pueblo Sin Fronteras said he attributes their release to pressure from human rights groups and the attention that the incident was receiving from Mexican and U.S. media. An organizer for a migrant rights group — the one that provoked the ire of President Trump for leading caravans of asylum seekers to the U.S. — was in a Tijuana jail on charges of "affronting police." Irineo Mújica of Pueblo Sin Fronteras was taken into custody while demanding the release of a Honduran minor who had been arrested without committing a crime. Tijuana's police director Mario Martinez and Pueblo Sin Fronteras leaders told KPBS the boy had been jailed for walking in a dangerous part of town on Tuesday night.

Refugee Advocates Lobby US Congress

[VOA News](#) [9/5/2018 9:27 PM, Victoria Macchi, 1094K] reports within 25 days, President Donald Trump will make a decision that will affect tens of thousands of refugees. On Wednesday, advocates lobbying members of Congress on Capitol Hill pressed for that number to be 75,000. Last year, Trump wanted it to be no more than 45,000. The reality in the last 11 months is closer to 20,000. By the end of September, Trump will have consulted with federal lawmakers and, with advice from agencies like the State Department, he will make a presidential determination about the maximum number of refugees the U.S. will allow in during the coming fiscal year, which starts October 1.

Pressed by Trump administration, Yoder drops support for Democratic asylum plan

[McClatchy DC](#) [9/5/2018 5:02 PM, Bryan Lowry and Lindsay Wise, DC] reports under intense pressure from his Republican base and the Trump administration, Rep. Kevin Yoder of Kansas now says he no longer supports a Democratic plan to make it easier for migrants fleeing domestic abuse or gang violence to claim asylum in the United States. Yoder, who chairs a subcommittee responsible for homeland security funding, is facing a fierce re-election battle in a suburban Kansas City district that Democrat Hillary Clinton narrowly won in 2016. The Republican congressman from Overland Park, Kansas, told McClatchy this week that the asylum proposal "may be too controversial to make it through the process" and will be dropped. It's a striking reversal for Yoder. He stunned Democrats and Republicans alike in July when he rebuffed a personal appeal from Attorney General Jeff Sessions and threw his support behind the Democratic asylum proposal offered by Rep. David Price, D-North Carolina. Price's plan would forbid the use of federal funds to enforce the Trump administration's stricter rules on asylum seekers. Yoder's initial support directly contradicted a June Sessions ruling that immigration judges should not allow fear of domestic or gang violence as grounds for granting asylum.

'Reestablish the rule of law': Sheriffs honor Trump for fighting illegal immigration
[Washington Times](#) [9/5/2018 6:10 PM, S.A. Miller] reports dozens of sheriffs from across the country came to the White House on Wednesday to thank Present Trump for supporting law enforcement and fighting illegal immigration. Sheriff Thomas Hodgson of Bristol County, Massachusetts said Mr. Trump had "reestablish the rule of law. "We have been for 20 years asking Congress to move on the security aspects of immigration reform and nothing has happened," he said. "And what's really amazing, Mr. President, is with your strength of purpose [and] the commitment to your convictions, you've done more in less than two years in support law enforcement and dealing with this illegal immigration" than Congress did in two decades. Earlier, the 45 sheriffs held a press conference at the Capitol to call on lawmakers to take action on border security and illegal immigrant crime.

Parole vs. Bond in the Asylum System

[Human Rights First](#) [9/5/2018 4:44 PM, Staff, 8K.] reports that when a person seeking protection enters the United States, they are often placed in immigration detention – a costly, largely unnecessary move that negatively impacts an individual's physical and mental health, as well as their ability to secure legal representation. There are two ways an asylum seeker may be released from detention: parole or bond.

These processes, which were put in place to make sure that asylum seekers who pose no risk to the community do not arbitrarily languish in prison, have been implemented in wildly inconsistent and sometimes illegal ways. If the asylum seeker requested refugee protection at an official border crossing point or an airport, they are deemed an "arriving asylum seeker" and can be released from detention on parole by Immigration and Customs Enforcement. According to the 2009 Department of Homeland Security Parole Directive, asylum seekers who have established a credible fear of persecution should be granted parole in the "public interest" and released from detention during the pendency of their asylum claims if the individual establishes their identity and demonstrates they are not a flight or security risk.

Congress, Don't Throw More Money at Donald Trump's Weaponized Department of Homeland Security

[ACLU](#) [9/5/2018 3:30 PM, Chris Rickard] reports that as summer ends, the country's political eyes are focusing even more intently on midterm elections. Although a new Congress is not far away, there remain major budgetary issues to resolve. The most immediate deadline for people concerned about President Trump's immigration policies is September 30, when fiscal year 2018 ends. For the Department of Homeland Security, reports suggest that both parties prefer to postpone debating a new budget until after the midterms, although President Trump has on occasion threatened a government shutdown if he doesn't get billions of dollars for immigration enforcement including more of his border wall. The ACLU's position is clear: Congress must not reward DHS' grossly abusive immigration enforcement with more resources to tear more families apart and to keep building a harmful, wasteful monument to Trump's xenophobia.

After a year filled with DHS-inflicted trauma on separated children, continuing Border Patrol violence and racial profiling, plus rampant Immigration and Customs Enforcement cruelty and deportation excesses, the only discussion in Congress should be about how much spending to cut from these ill-performing, family-destroying DHS components. Yet both the House and Senate homeland security budget bills would enable DHS with more resources. The House version adds more than 400 ICE personnel and allocates \$5 billion for Trump's wall folly, while the Senate version includes 375 new Border Patrol agents and \$1.6 billion for wall construction. Neither bill reduces the obscene and unnecessary spending level for immigration jails.

[NY] Rensselaer County Sheriff Russo at White House on immigration matters

[Times Union](#) [9/5/2018 1:52 PM, Kenneth C. Crowe II, 118K, NY] reports Rensselaer County Sheriff Patrick Russo, who's been criticized for his controversial cooperation with U.S. Immigration and Customs Enforcement to check county jail inmates for immigration violations, was at the White House and Capitol Hill Wednesday urging passage of legislation to improve border security. Russo is the only sheriff in New York state, to join the 287(g)-program run with ICE. Russo was among 44 sheriffs in Washington D.C. from across the country meeting with congressional representatives and attending a White House roundtable discussion, according to a release issued by the Rensselaer County Sheriff's Office Wednesday afternoon. The sheriffs were attending the discussion hosted by the White House Office of Intergovernmental Affairs. Topics covered were immigration, border security, "and the critical need for collaboration between local, county, state and federal law enforcement agencies," according to the sheriff's office.

[NJ] Grewal To Issue New Guidance On Cooperation With Immigration Agents

[WBGO](#) [9/5/2018 5:15 PM, Phil Gregory, NJ] reports New Jersey Attorney General Gurbir Grewal says he plans to announce a new directive on state and local law enforcement's relationship with federal Immigration and Customs Enforcement agents. Grewal says the 2007 directive does not reflect the immigration realities of today. "If federal immigration authorities have a criminal warrant and they need our assistance in executing criminal warrants, we'll cooperate. But we're not here as state law enforcement officers to enforce civil immigration laws." State Police Superintendent Patrick Callahan says Immigration and Customs Enforcement agents haven't asked troopers to do that. Grewal says law enforcement officers, prosecutors, and civil rights groups are providing input on the new guidance that should be announced within the next month.

[NC] Durham Officials Want to Make Sure No One Ends Up in Immigration Detention Because of Local Policies. Someone Should Tell the Sheriff.

[INDY Week](#) [9/5/2018 3:30 PM, Sarah Willets, NC] reports that earlier this month, a group of Durham officials toured the notorious Stewart Detention Center, known for its remoteness and the hunger strikes waged by immigrant detainees against the rural Georgia facility's conditions. Two weeks later, it's clear the visit left an imprint on the group, who came back determined that no one end up in immigration detention because of local policies. In an open letter last week, Durham city council members Javiera Caballero, Jillian Johnson, DeDreana Freeman, and Vernetta Alston, county commissioner Brenda Howerton, and school board member Natalie Beyer said they "will look to all Durham residents to help us achieve this vision."

[UT] As number of denials increases, Utah asylum-seekers worry about future

[Good 4 Utah](#) [9/5/2018 4:52 PM, Andrew Reeser, UT] reports Carmen Landaverde's petition for asylum was denied by a judge in court. Landaverde, 28, was afraid that would happen after the Trump administration last June ruled domestic violence isn't grounds for asylum in the United States. Landaverde is from El Salvador, and said her ex-husband tried to kill her before she escaped to the United States with her son. News4Utah first spoke with her in June, before her application for asylum was denied. In Salt Lake City, 765 petitions for asylum are awaiting their day in court, part of more than 1,800 pending immigration cases. Attorney General Jeff Sessions announced the guidelines June 11 of this year. In a memo obtained by News4Utah, United States Customs and Immigration Services began implementing the policy a short time after. Since the fiscal year began, the Trump administration has accepted a little more than 10,000 applications for asylum. Still, more than 14,000 were withdrawn or remain undecided.

[WA] How A 'Yawner' Of A Vote Made Tacoma A 'Detention City'

[KNKX](#) [9/5/2018 8:00 AM, Will James, 12K, WA] reports that more than 46,000 immigrants have been detained in Pierce County over the past two decades, the fourth highest number of any county in the U.S. It's because Tacoma is home to the Northwest Detention Center, one of the nation's largest holding spaces for people facing deportation due to suspected immigration violations. It's the only such facility in the Pacific Northwest. Today, its presence has made Tacoma an epicenter of protest against the Trump administration and its hardline policies on immigration. But 18 years ago, Tacoma's complex relationship with national immigration policy started with a little-noticed decision by the City Council. In 2000, its members voted 9-0 to support the federal government's plans to build the detention center on Tacoma's tideflats. Former mayor Brian Ebersole, like many residents now criticizing the detention center, said he opposes the Trump administration's handling of immigration and objects to the idea of private prisons.

The Northwest Detention Center is run by one of the country's largest for-profit prison companies, the GEO Group, under a contract with Immigration and Customs Enforcement, known as ICE. "If you're going to deny somebody civil liberties and lock them up, that should be done by government, not influenced by profit motives," Ebersole said. The GEO Group's current 10-year contract with ICE runs through 2025. The company, which is paid per detainee, estimates the Northwest Detention Center will bring in \$57 million in revenue a year if it operates at capacity. A point of peak tension arrived in April 2017, when calls to shut down the detention center were at their loudest. That's when Thomas Homan, then the acting director of ICE, intervened from Washington, D.C. Homan expressed what he called

"significant concerns" in a letter to then-Mayor Marilyn Strickland. ICE officials have said the agency has no plans to expand the Northwest Detention Center, despite a Trump administration memorandum calling for a nationwide expansion of immigrant detention. Homan said in the 2017 letter that expanding the Tacoma detention center at some point in the future could benefit the people held there by creating more space for living and dining areas, attorney-client meeting rooms, and immigration courtrooms. It could allow for improved medical and dental services, he said.

Legal News

DACA Recipients Should Hold The Applause On Recent Ruling

[Law 360](#) [9/5/2018 9:24 PM, Nicole Narea] reports in the wake of a Texas federal court ruling last week, the Deferred Action for Childhood Arrivals program remains intact while a lengthy trial and appellate process plays out, but the judge's recent statements mean beneficiaries and their employers shouldn't celebrate just yet. U.S. District Judge Andrew Hanen on Friday refused to temporarily block the federal government from issuing or renewing Deferred Action for Childhood Arrivals permits, saying it would not serve the public interest to "unscramble the egg" and revoke beneficiaries' privileges before the suit goes to trial. But Judge Hanen also indicated in no uncertain terms that he intends to strike down the program, which offers work authorization and deportation protection to young unauthorized immigrants who came to the U.S. as children, and find that the Obama administration lacked the authority to implement it. Judge Hanen said that to uphold DACA would be to "set aside legal principles," adding that "if the nation truly wants to have a DACA program, it is up to Congress to say so."

Immigrant Teens Get ICE Class Action Lawsuit Certified

[Top Class Actions](#) [9/5/2018 3:36 PM, Christina Davis] reports that a group of immigrant teens were able to get their proposed Class certified in an Immigration and Customs Enforcement class action lawsuit, along with an injunction against the agency. The teens filed the ICE class action lawsuit alleging that the Immigration and Customs Enforcement (ICE) arm of the Department of Homeland Security (DHS) improperly transferred them and other detained teenagers to adult facilities. The ICE Immigrant Teen Transfer Class Action Lawsuit is Garcia Ramirez, et al. v. US Immigration and Customs Enforcement, et al., Case No. 1:18-cv-00508, in the U.S. District Court for the District of Columbia.

BBA Announces New Immigration-Related Principles and Positions

[Boston Bar Association](#) [9/5/2018 5:36 PM, Alexa Daniel, MA] reports that the BBA Council considered, and adopted, four principles at their meeting in August. At that same meeting, the Council also endorsed three policy positions that align with the spirit of the principles and past BBA positions. Given the recent, and continuing, sweeping changes in immigration policy and enforcement practices, the BBA Council determined it would be worthwhile to produce a set of guiding principles that will help to frame and improve the Association's response to these developments as they arise. The Working Group was composed of immigration law experts – including both Co-Chairs of the BBA's Immigration Law Section – and volunteer BBA leadership.

Principle 1: Immigration is a defining feature of the American experience.

Principle 2: No person's rights or human dignity should be devalued on the basis of immigration or citizenship status.

Principle 3: The constitutional right to due process and equal protection, guaranteed to every person regardless of immigration or citizenship status, must be protected and enforced.

Principle 4: Every person should have the full and meaningful ability to exercise their rights and to access justice through the legal system regardless of immigration or citizenship status, level of income, or economic circumstance.

Kicking ICE Out of the Courthouses

[The Nation](#) [9/5/2018 10:00 AM, Michelle Chen] reports that as the White House steamrolls over immigrants' rights and cranks up its deportation machine, migrant communities everywhere are seeking sanctuary and developing new methods of mutual protection — through the law, in their churches and schools, and among their neighbors. From the establishment of "sanctuary campuses" at public universities, to the expansion of sanctuary policies for municipalities that refuse to cooperate willingly with Immigration and Customs Enforcement (ICE) investigations, community safeguards are emerging in a volatile political landscape. Still, while cities have attempted to craft protective policies to prevent or at least minimize ICE interference, federal agents are consistently exploiting loopholes in the ad hoc safety net that has developed in targeted communities. In New York, despite local officials' declarations that the city would resist the Trump administration's crackdown, ICE raids are still happening. A new battlefield is emerging in local courthouses, where ICE — unleashed from Obama-era guidelines on "sensitive areas" for raids and arrests — has waged some of the country's fiercest frontal assaults on immigrant rights.

Proposed legislation would draw a legal line against local-government compliance with ICE enforcement actions in courts. Specifically, it would be considered "contempt of court and false imprisonment" to "willfully assist or facilitate" an ICE arrest on court premises. More importantly, ICE could be preemptively barred from entering courts without a valid arrest warrant. An individual victim of an ICE intervention would, at least in theory, have a civil right of action to seek recourse.

An Old Anti-Irish Law Is at the Heart of Trump's Plan to Reshape Legal Immigration

[Mother Jones](#) [9/6/2018 6:00 AM, Noah Lanard] reports Boston's 1845 census grouped the home countries of the city's indigent into three buckets: The United States, Ireland, and everywhere else. Massachusetts Protestants attacked Irish immigrants for draining public resources. The state's solution was to turn back and deport people it considered likely to become "public charges." That same strategy is now at the center of the Trump administration's attempt to reshape legal immigration in the United States. U.S. Citizenship and Immigration Services, the agency that handles legal immigration, is on the verge of releasing a regulation that is expected to make it far easier to label immigrants as likely future public charges. That would prevent immigrants in the United States from extending their time in the country or receiving green cards and a path to citizenship. In deciding whether someone is likely to become a public charge, USCIS currently considers only whether that person receives cash benefits like welfare. The new rule would allow the agency to deem people public charges if they or their U.S.-born children receive non-cash benefits like food stamps or heating assistance.

[CA] Homan: Bill That Would Ban ICE Courthouse Arrests Is a 'Deterioration' of Country's Foundation

[FOX News](#) [9/5/2018 6:56 PM, Staff, 11653K] reports former acting director of Immigration and Customs Enforcement, Tom Homan, said Wednesday on Fox & Friends that a proposed bill that would ban agents from arresting illegal immigrants in courthouses would put them at a dangerous risk. The proposal comes after an illegal immigrant was apprehended inside a courtroom in Sacramento Superior Court, according to The Sacramento Bee. The bill was approved last week by the California Legislature, according to The Fresno Bee, and would prevent civil arrests in state courthouses, including charges related to immigration. Homan said that he sees no issue with the practice and that it has been happening for years. "That's exactly where they should be arresting [someone]," he said. "We know they don't have weapons because they went through security and a metal detector." "This is just a further deterioration of the very foundation of what this country is founded upon," Homan said. Homan added that law enforcement officers should be allowed the same protection as judges and members of Congress in courthouses. "They're putting ICE officers at risk again," he said. "Why not arrest a criminal in the safety and security of a jail or courthouse where they don't have weapons?" [Editorial note: consult source link for video]

Video: [FOX News](#) [9/5/2018 2:44 PM, Staff] Fox News contributor Tom Homan sounds off on the proposal.

Additional reporting: [The Daily Caller](#) [9/5/2018 3:12 PM, Nick Givas, 984K, DC]

[CA] Courthouse ICE Arrests Spark Concerns, But Aren't New

[KVPR](#) [9/5/2018 6:16 PM, Joe Moore, 4K, CA] reports that recent arrests of undocumented immigrants by Immigration and Customs Enforcement officials inside Central Valley courthouses from Fresno to Sacramento have sparked controversy. As Valley Public Radio's Monica Velez reports, such arrests aren't new. She joined us on Valley Edition to look back at a series of arrests made by ICE at a courthouse in Kern County under the Obama administration, and to talk about the local reaction to the current wave of arrests. [Editorial note: consult source link for audio]

[CA] Santa Clara Police Department has special Notario fraud unit

[KALW](#) [9/5/2018 9:02 PM, Hana Baba, 11K, CA] reports when people migrate to the US, they have to deal with lots and lots of paperwork, to be able to live and work in the country. When you're here and you're petitioning for your spouse or children to join you from another country, it's even more paperwork. Many people put their trust in immigration consultants to navigate the system and file the papers. People are getting scammed by notary publics falsely claiming they're authorized to offer legal advice. They charge high fees, leave the clients out of money, and without status. It's called Notario fraud, and there's a special unit at the Santa Clara Police Department dedicated to fighting it. KALW's Hana Baba visited and spoke with the two sergeants on that beat, Suguey Jaimez and Jose Zuniga. [Editorial note: consult source link for audio]

[CA] Immigrant Detainees In Calif. Federal Prison Seek Class Cert.

[Law 360](#) [9/5/2018 6:07 PM, Kevin Penton] reports six immigrant detainees who allege they have been deprived of health care and edible food at a detention center urged a California federal court on Tuesday to certify their case as a class action and select them as its

representatives. Stephenson Awah Teneng, Marcel Ngwa, Ankush Kumar, Gurjinder Singh, Atinder Paul Singh and Noe Mauricio Granados Aquino urged the Central District of California to certify the case and to select them to represent a class of individuals detained at the medium-security federal facility in Victorville, California, according to their motion. Four of the individuals also seek to represent a subclass of people who seek to practice religion at the site without undue restrictions, according to Tuesday's filing. They assert that a class action would be the best way to ensure that everyone's rights are equally represented and that compatible standards of conduct are established, based on the federal government's actions towards the proposed class, according to the motion. The petitioners contend that federal immigration authorities this year have transferred hundreds of civil immigration detainees to the facility, which is designed to house individuals convicted of crimes.

Enforcement News

Trump admin rejected report showing refugees did not pose major security threat

[NBC News](#) [9/5/2018 3:56 PM, Dan De Luce and Julia Ainsley] reports the Trump administration has consistently sought to exaggerate the potential security threat posed by refugees and dismissed an intelligence assessment last year that showed refugees did not present a significant threat to the U.S., three former senior officials told NBC News. Hard-liners in the administration then issued their own report this year that several former officials and rights groups say misstates the evidence and inflates the threat posed by people born outside the U.S. At a meeting in September 2017 with senior officials discussing refugee admissions, a representative from the National Counterterrorism Center came ready to present a report that analyzed the possible risks presented by refugees entering the country. But before he could discuss the report, Associate Attorney General Rachel Brand dismissed the report, saying her boss, Attorney General Jeff Sessions, would not be guided by its findings. "We read that. The Attorney General doesn't agree with the conclusions of that report," she said, according to two officials familiar with the meeting, including one who was in the room at the time.

Month-long ICE operation leads to the arrest of 364 undocumented immigrants – including 187 with prior convictions – across six states

[Daily Mail](#) [9/5/2018 10:57 AM, Adry Torres, UK] reports that a month-long investigation by the U.S. Immigration and Customs Enforcement (ICE) agency led to the apprehension of 364 undocumented immigrants in six Midwestern states. Federal agents with the Enforcement and Removal Operations (ERO) unit detained 18 women and 346 men from 25 countries during the 30-day enforcement period, ICE stated in a press release last week. The immigration agency officers, working under the direction of the ICE Chicago center that oversees the six-state region, were able to capture 71 immigrants that were fugitives and another 97 that illegally came to the country after they had been deported. The Midwest investigation led to the arrest of 236 undocumented Mexicans, 54 immigrants from Guatemala and 40 from Honduras that made it across the U.S. border without proper legal documentation. Of the 364 arrested, 187 had prior convictions.

Farm sector feeling heat from ICE

[Agri-Pulse](#) [9/5/2018 6:25 AM, Jonathan H. Harsch, DC] reports that as federal agents sweep farming operations across the country in search of unauthorized workers, are they

targeting agriculture? The U.S. Immigration and Customs Enforcement's Homeland Security Investigations agency tells Agri-Pulse that's not the case. "ICE does not target any one industry and we do not have statistics broken down by industry," HSI says. If farm operations have been contacted, the agency says, it's part of ICE's current nationwide program that included 6,093 worksite investigations from Oct. 1 to July 20 to assess compliance with immigration law, resulting in 1,659 arrests. In one sweep, across California's Central Valley in February, more than 200 people were arrested. With estimates that as many as 800,000 to 1 million foreign-born farmworkers may lack work authorization and be subject to arrest, the farm sector is feeling the ICE heat – and warning that what it perceives as a continuing crackdown could lead not only to costly consequences for agriculture but for the U.S. economy as a whole.

Agriculture lobbyists are once again standing in the way of E-Verify

[The Hill](#) [9/5/2018 12:50 PM, Dan Stein] reports that the Immigration Reform and Control Act of 1986 (IRCA) was a byproduct of hard-fought compromise: employer sanctions and interior enforcement in exchange for a two-pronged amnesty that included a special program for seasonal agricultural workers. As a result of that compromise, 1.3 million illegal workers applied for Special Agricultural Worker (SAW) status. By all accounts the program was rife with fraud. SAW also turned out to be useless from the standpoint of the agricultural industry. No sooner did the workers receive their amnesty than they quickly abandoned low-paid farm jobs for more desirable jobs in other sectors of the labor market. Thus, the industry turned to the next wave of illegal aliens to exploit.

To maintain their continued access to malleable illegal labor, agricultural interest groups needed to ensure that nearly all of IRCA's enforcement promises would go unfulfilled. While the border remains the focus of attention, the linchpin of IRCA was the employer sanctions provision. It was intended to close a legal anomaly under which employers were free to hire people who were not authorized to work inside the United States. The "employer sanctions provision" was a great concept, but no sooner had President Ronald Reagan's signature on IRCA dried than business interests — led by the agriculture lobby — set about to ensure that that prohibition would be rendered meaningless.

[NY] Lawyers who freed pizza guy from deportation want bill paid

[New York Post](#) [9/5/2018 3:28 PM, Kaja Whitehouse, 4882K, NY] reports that the lawyers who helped Pablo Villavicencio fight President Trump's zero-tolerance immigration policy — and won — have filed papers seeking to make Uncle Sam pay their \$190,000 tab. Villavicencio, 35, became a cause celebre after he was locked up by Immigration and Customs Enforcement agents while delivering a pizza to the Fort Hamilton military base in Brooklyn. Villavicencio, who was living in Long Island with a wife and kids despite a 2010 order of deportation, got caught when a guard at the base ran an ID check.

[PA] A welcome for two immigrant families taking church sanctuary in Philly

[Philadelphia Inquirer](#) [9/5/2018 4:38 PM, Jeff Gammage, 150K, PA] reports that two families, one from Honduras, the other from Jamaica, have children who are American citizens and whose long-standing pleas for asylum were recently turned down, but the families say deportation could get them killed in their homelands. In sanctuary are Clive and Oneita Thompson, who lived in South Jersey after coming to America from Jamaica in 2004. They entered sanctuary with 15-year-old daughter Christine and 12-year-old son Timothy. Both children are U.S. citizens. A spokesperson for U.S. Immigration and Customs

Enforcement (ICE) said in a statement that Oneita and Clive Thompson have overstayed the terms of their admission to the United States by nearly 14 years. In September 2009, ICE said, an immigration judge ordered them removed from the country. They appealed to the U.S. Court of Appeals for the Third Circuit, which dismissed their petition, the agency said. "ICE has granted them numerous stays of removal to allow them to make arrangements to depart the United States, but even so, they failed to depart," the statement said. "They are currently immigration fugitives and subject to arrest and removal from the country once encountered by ICE."

The second family is Suyapa Reyes, 35, who came from Honduras in 2014, and her children, Jennifer, 13; Yamie, 7; Jeison, 2; and Junior, 10 months. The toddler and the baby are U.S. citizens and were not ordered to be deported with the rest of the family, Reyes said. ICE said it could not comment on the Reyes family "due to pending legal issues."

[Metro](#) [9/5/2018 2:42 PM, Staff, 118K] reports that "in September 2009, an immigration judge ordered them removed from the U.S. The pair appealed their case all the way up to the 3rd Circuit Court of Appeals, which dismissed their petition for review. ICE has granted them numerous stays of removal to allow them to make arrangements to depart the United States, but even so, they failed to depart. They are currently immigration fugitives and subject to arrest and removal from the country once encountered by ICE."

[PA] Joe Giudice Begs Judge To Let Him Remain In U.S. At Deportation Hearing: 'I Want To Stay Here!'

[Radar](#) [9/5/2018 10:48 AM, Mary Jacob, 243K] reports that Joe Giudice begged an immigration judge to keep him in the country with his Real Housewives of New Jersey star wife Teresa and four children during a Pennsylvania court hearing this morning as part of his deportation case, RadarOnline.com can exclusively report. Clad in a grey jumpsuit with black rim glasses, the 46-year-old prisoner appeared somber yet slim as he attended his hearing via teleconference from his Allenwood, Pennsylvania federal prison, where he is serving more than three years on fraud charges. As Radar exclusively reported in June, Italian citizen Giudice is in active removal proceedings due to his crimes. He is fighting the deportation through immigration court.

[GA] ICE detainees dwindling in Atlanta jail as contract decision looms

[Atlanta Journal-Constitution](#) [9/4/2018 8:00 PM, Jeremy Redmon, 594K, GA] reports the number of immigrants facing deportation who are being held in Atlanta's jail has fallen to five from 205 in June, when Mayor Keisha Lance Bottoms signed an executive order blocking the detention center from taking in any new ones. U.S. Immigration and Customs Enforcement confirmed that count Wednesday as Bottoms was preparing to announce her decision about the city's federal contract to hold the agency's detainees, perhaps as soon as Thursday morning. Bottoms said in June she would not rule out canceling that arrangement amid enforcement of the Trump administration's "zero-tolerance" policy, which resulted in the separation of many immigrant families on the southwest border. Asked about the mayor's deliberations, ICE spokesman Bryan Cox said the city jail represents less 10 percent of ICE's detention capacity in Georgia. His agency takes advantage of the Atlanta jail's proximity to federal immigration courts in downtown and Hartsfield-Jackson Atlanta International Airport. If the city cancels its arrangement with ICE, the federal agency could instead place its detainees in its detention centers in Folkston, Lumpkin and Ocilla. ICE and

the private corrections company that operates the Folkston ICE Processing Center agreed this year to expand that facility by 338 beds.

[MS] Mother swept up in immigration arrests sentenced to time served, but kids remain in limbo

[Memphis Commercial Appeal](#) [9/5/2018 5:31 PM, Daniel Connolly, TN] reports a mother from Mexico who was arrested in an immigration case doesn't deserve any additional prison time, a federal judge ruled Wednesday. But the mother and her common-law husband both face deportation. Before the government sends them back to Mexico, the parents are fighting to regain custody of their children, who have been in foster care in Mississippi since their arrests last year. The Wednesday morning sentencing hearing for Hilda Hernandez was one of numerous court proceedings related to the late November arrests of 20 immigrants from Mexico and central America at a Memphis-area logistics company, Expeditors International. The immigrants were accused of using fraudulent documents to get jobs at the company through a staffing agency, Provide Staffing Services.

[LA] ICE Allowed To Detain Salvadoran Journalist, Judge Says

[Law 360](#) [9/5/2018 2:14 PM, Tiffany Hu] reports that a Salvadoran journalist's habeas corpus bid was denied on Tuesday in his suit accusing U.S. Immigration and Customs Enforcement of unlawfully detaining him in retaliation for his stories that criticized local police, with a Louisiana federal judge saying the agency's decision to detain him was independent of any alleged retaliation by the state. U.S. District Judge Dee D. Drell turned down arguments by journalist Manuel Duran Ortega in his request for release from detention saying ICE's actions "flow[ed] from" his April arrest by the Memphis police while he was reporting on a local protest against ICE's policies, finding that the agency had probable cause to detain Duran Ortega "at any appropriate time" after he was ordered to be deported in 2006. An ICE spokesman did not immediately respond to requests for comment on Wednesday.

[IL] As Months Pass in Chicago Shelters, Immigrant Children Contemplate Escape, Even Suicide

[ProPublica](#) [9/6/2018 4:00 AM, Melissa Sanchez, Duaa Eldeib, and Jodi S. Cohen] reports one 16-year-old from Guatemala said he wanted to "quitarme la vida," or "take my life away," as he waited to be released from a Chicago shelter for immigrant children. He was kept there for at least 584 days. A 17-year-old from Guinea went on a hunger strike, telling staff members he refused to eat until he saw evidence they were trying to find him a home. He was released nearly nine months after he entered a shelter. And a 10-month-old boy, forcibly separated from his father at the U.S.-Mexico border in March, was bitten repeatedly by an older child and later hospitalized after falling from a highchair. He was detained for five months. ProPublica Illinois has obtained thousands of confidential records about the nine federally funded shelters in the Chicago area for immigrant youth operated by the nonprofit Heartland Human Care Services — some dating back years, others from as recently as last week. The documents provide a sweeping overview of the inner workings and life inside one of the country's largest shelter networks for unaccompanied minors, including children separated from their parents under the Trump administration's zero-tolerance policy.

[IL] Judge throws book at terrorist arrested boarding plane in Chicago

[WLS Chicago](#) [9/5/2018 8:01 PM, Chuck Goudie and Barb Markoff, 3K, IL] reports an Uzbekistan refugee who tried to set off on a martyrdom mission from O'Hare Airport, has been sentenced to 11 years in prison for aiding terrorists. Jamshid Muhtorov, 42, was convicted in June by a federal jury in Denver, Colorado – his hometown – of trying to smuggle smartphones and other electronic equipment to the Islamic Jihad Union. "Defending our country from terrorism is a core mission of the Department of Justice," United States Attorney Bob Troyer said in a statement. Troyer said that IJU has been designated as a terrorist organization by the U.S. U.S. District Judge John Kane gave Muhtorov credit for the years he has been in custody since being arrested in Chicago in 2012. Once he completes his sentence, the convicted terrorist will be turned over to U.S. Immigration and Customs Enforcement for deportation proceedings.

[MI] Protesters gather at Metro Airport as Mich. father faces deportation

[Detroit News](#) [9/6/2018 12:22 AM, Sarah Rahal, 169K, MI] reports protesters sat in the entrance of Detroit Metro Airport on Wednesday night, chanting: "Up, up with liberation, down, down with deportation," as a father of four awaited deportation. More than 50 people sat in the airport's North Terminal to protest Banny Doumbia, an Ivory Coast native who has been undocumented for more than 30 years in Detroit, a family friend said. Doumbia was taken off a United Airlines plane, "but that doesn't mean he won't be on another," said friend Seydi Sarr. Sarr, executive director of African Bureau for Immigration and Social Affairs in the United States, said Doumbia had been complying with Immigration and Customs Enforcement officials for the last 14 years and was detained during a normal immigration check-in toward the end of August. ICE officials could not immediately be reached Wednesday night.

[MN] Augsburg professor won't be deported, for now

[Minnesota Public Radio](#) [9/5/2018 4:37 PM, Riham Feshir, 11K, MN] reports that Mzena Wanyama, 60, an Augsburg professor, will be able to teach African-American literature and postcolonial fiction now that he's been granted temporary relief from deportation back to Kenya. The immigration court, the Board of Immigration Appeals and the 8th U.S. Circuit Court of Appeals ruled against him. Wanyama and his wife, Mary, have been living in the United States under prosecutorial discretion by Immigration and Customs Enforcement, which requires him to check in monthly. But in March, ICE summoned the professor and told him to prepare to leave the country. Since then, the agency has changed his departure deadline, keeping him uncertain about whether he could start teaching this fall. Meanwhile, his attorneys have been arguing his case in the courts. U.S. Senators Amy Klobuchar and Tina Smith are working to find him a path to citizenship. Minneapolis Mayor Jacob Frey has said "no president, no federal agency will deport Dr. Wanyama without a fight from me." On Friday, Aug. 31, the BIA granted Wanyama an emergency stay of removal, which gives him more time to reopen his asylum case.

The [Twin Cities Business Journal](#) [9/5/2018 7:40 AM, Mark Reilly, 1079K, MN] reports that the Board of Immigration Appeals granted Wanyama a stay of deportation, which pauses the deportation order while the board considers reopening his original case. Wanyama, a native of Kenya who came to the United States in 1992 seeking political asylum, teaches history and literature at Augsburg. His asylum appeal was rejected long ago, and he became one of many asylum seekers who were allowed to stay on as long as they kept in touch with ICE. However, under the Trump administration, the agency has grown more aggressive about forcing out such residents.

Reported similarly: [CBS Minnesota](#) [9/5/2018 12:23 PM, Staff, 111K, MN]

[IA] Immigrant charged in Iowa student's death was known by alias

[Washington Post](#) [9/5/2018 2:17 PM, Ryan J. Foley] reports that the Mexican man charged with abducting and killing an Iowa college student was known for years on the dairy farm where he worked by another name: John Budd. The alias has emerged as Cristhian Bahena Rivera's employer, a cattle operation owned by a prominent Republican family, faces questions over whether its managers were aware of any warning signs that he was in the country illegally. The name under which Rivera was hired and paid for the last four years was confirmed by three people with knowledge of his employment history. They spoke on condition of anonymity because they were not authorized to release the information during an ongoing criminal investigation. One of the people said Rivera's work identity as John Budd appears in official government records.

The employer, Yarrabee Farms, declined to confirm or deny Rivera's work identity. Lori Chesser, an immigration employment lawyer advising the farm, said that companies cannot discriminate against workers based on how they look or how their names sound. Farm officials have said Rivera presented an out-of-state photo identification and a Social Security number when he was hired in 2014, and they believed he was the person depicted in those documents until his arrest last month. Immigration and Customs Enforcement declined to comment on whether the agency is investigating Yarrabee Farms, which has said that it received dozens of angry phone calls after Rivera was arrested.

[TX] 55 undocumented immigrants remain in ICE custody after one of the largest raids in a decade

[ThinkProgress](#) [9/5/2018 10:58 AM, Rebekah Entralgo, 799K] reports that 55 undocumented immigrants remain in the custody of Immigration and Customs Enforcement nearly one week after the raid of a Texas trailer manufacturer resulted in the arrest of 159 workers. According to data ICE provided to Texas station KXII, 98 undocumented workers were released after posting immigration bond, 5 were released on "humanitarian grounds" because they were the primary caregivers to children, and 1 voluntarily returned to Mexico. Immigration officials say it was the largest raid of its kind in a decade.

"Those arrested were transported to ICE detention facilities in North Texas and Oklahoma," ICE spokesman Carl Rusdok told KXII. "They remain in ICE custody pending disposition of their immigration cases. In addition to their immigration violations, each individual is also being vetted to determine if they have been previously removed, or if they have outstanding criminal warrants." The raid is the latest aggressive ICE maneuver in recent months. Just a few weeks ago, 130 undocumented workers in Minnesota and Nebraska were taken into ICE custody and 17 business owners and managers were indicted for fraud, money laundering, and knowingly hiring and mistreating undocumented immigrants. On June 5, immigration officials similarly raided a gardening shop in Ohio, arresting 114 workers in the process. That action was preceded by one on April 5, at a rural meatpacking plant in Tennessee. Officials arrested 94 workers as a result of that raid.

[The Texas Tribune](#) [9/6/2018 1:01 AM, Julián Aguilar, 131K, TX] reports that an ICE spokesperson said of the 159 people arrested, 98 have posted bond and one voluntarily returned to Mexico, while 55 remain in custody. The other five were released at the scene

"on humanitarian grounds," according to ICE. The Texas Tribune thanks its sponsors. The spokesperson added that "non-criminal" immigrants from Mexico will be allowed to voluntarily return to their home country, which does not have the same legal consequence as an official deportation.

[TX] 4 MS-13 Members Charged in Texas Machete Murder in U.S. Illegally, Says ICE

[Breitbart](#) [9/5/2018 4:09 PM, Bob Price, 2213K, TX] reports immigration officials filed detainers on four MS-13 members charged with hacking a Houston police informant to death with a machete. The alleged murder occurred in June. Court records obtained by Breitbart Texas from Harris County District Clerk Chris Daniel's official website indicate the four MS-13 members took turns hacking 25-year-old Victor Castro Martinez to death with a machete-type weapon. Martinez was wearing a recording device for the Houston Police Department at the time. Houston police investigators arrested Miguel Aguilar-Ochoa, 33; Wilson J. Ventura-Mejia, 22; Marlon A. Miranda, 19; and Carlos Elias Henriquez-Torres, 18, and charged them in connection with the murder of the informant. All four of the suspects are reported to be MS-13 members born in El Salvador. Breitbart Texas reached out to U.S. Immigration and Customs Enforcement officials to confirm the immigration status on the four Salvadoran gang members.

"On Aug. 23, U.S. Immigration and Customs Enforcement (ICE) lodged immigration detainers on three men from El Salvador: Wilson Jose Ventura Mejia, 22; Marlon Miranda Moran, 19; and Miguel Angel Aguilar Ochoa, 33," A spokesman for the agency said in an email response to Breitbart Texas' inquiry. "All three individuals remain in the custody of the Houston Police Department (HPD) on pending murder charges. On July 25, Carlos Henriquez-Torres, 18, also from El Salvador, was transferred into ICE custody from HPD pursuant to an immigration detainer," the spokesman continued. "Henriquez-Torres remains in ICE custody." ICE officials said that illegal aliens they hold under detainers are made available to state courts for prosecution and court hearings. The immigration detainer also serves to ensure that a subject facing serious criminal charges will not be released from custody.

[TX] Student activist seeks voluntary departure instead of deportation

[My San Antonio](#) [9/5/2018 7:58 PM, Guillermo Contreras, 184K, TX] reports that a lawyer for DACA recipient and activist Sergio "Mapache" Salazar, whose immigration benefits were not renewed, told a judge Wednesday that his client will seek voluntary departure to Mexico instead of being deported. Voluntary departure can protect Salazar, 18, from the harsh consequences of an order of removal or deportation, which could bar him from returning to the U.S. for several years — even permanently, according to Maldonado. Voluntary departure, among other benefits, buys a person more time to take care of affairs before leaving and does not automatically bar a person from the United States for a set number of years. Angel Olivera, a prosecuting immigration attorney with U.S. Immigration and Customs Enforcement, opposed the request, citing a 21-page motion the government filed that contains allegations that Salazar posted threats against law enforcement on social media.

[NM] Detention hearing delayed for New Mexico compound residents

[Washington Times](#) [9/5/2018 12:50 PM, Associated Press, DC] reports that a judge has pushed back a detention hearing for five former residents of a ramshackle compound in New Mexico who are facing federal firearms-related charges. Wednesday's decision came

after public defenders requested more time to prepare. The defendants will remain in custody pending the Sept. 12 hearing. The group was initially arrested last month in a raid of the compound near the Colorado border. Local authorities were searching for a missing boy, whose body was found days later in a tunnel on the property. The federal charges stem from allegations against Jany Leveille. She's charged with illegally possessing firearms and ammunition linked to her unlawful immigration status. The other defendants are accused of assisting her. State prosecutors say they intend to pursue charges against Leveille and partner Siraj Ibn Wahhaj related to the boy's death.

[AZ] Migrant mom recounts anguish of being separated from son

[Columbus Dispatch](#) [9/5/2018 1:32 PM, Danae King, 132K, OH] reports the mother and son came to the U.S. in May, during the roughly two months that the Trump administration separated migrant children from their parents at the border, as part of an aggressive effort to deter illegal immigration. The boy was taken from her on their third day in the country, and they were sheltered in separate detention facilities in Arizona for about two months. The 25-year-old woman fidgeted with her hands as she told of the anguish she faced when separated from her 7-year-old son at the U.S.-Mexico border in Arizona. "At one point I thought I would never see him again," said the woman from El Salvador, who is not being identified by The Dispatch because of the gang violence, high murder rate and other dangers she fears if sent back to her native country. Their long-term fates have yet to be determined as they await court dates in a heavily backlogged immigration court system and attempt to get past the trauma of being separated while in a foreign land. The separations began in April when Attorney General Jeff Sessions announced a zero-tolerance policy for immigrants illegally flooding the border. Trump hastily ended the separations with an executive order on June 20 amid public outcry. The order allows Homeland Security, Health and Human Services and Customs and Border Protection to "work through a process with to maintain family unity while enforcing prosecution efforts," a U.S. Customs and Border Protection spokeswoman said.

[WA] ICE arrests 16 in Whatcom County during 'criminal investigation'

[Bellingham Herald](#) [9/5/2018 10:18 AM, David Rasbach, 43K, WA] reports agents from the U.S. Immigration and Customs Enforcement arrested 16 people in Whatcom County last week in an "ongoing criminal investigation," according to an ICE spokesperson. "On Aug. 29, ICE's Homeland Security Investigations special agents, with assistance from ICE's Enforcement and Removal Operations and the U.S. Border Patrol, conducted an enforcement operation during which 16 people were arrested," ICE public affairs officer Carissa Cutrell said Wednesday. "This operation was pursuant to an ongoing criminal investigation. No arrests or enforcement actions were conducted at any place of business. Because the investigation is ongoing, no additional information is available at this time." Cutrell's email confirms some of information that has circulated on social media the past week after word of the arrests began to spread. Last week's action is believed to be the largest series of arrests by ICE in Whatcom County since a Feb. 24, 2009, raid at the Yamato Engine Specialists in Bellingham, when agents arrested 28 workers who were accused of being in the country illegally.

Reported similarly: [790 KGMI](#) [9/5/2018 8:34 AM, Staff, 4K, WA]

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Friday, Sept. 7, 2018

Executive Office for Immigration Review

[MI] 'Every day is a nightmare': Wife of deported father calls for immigration changes..... 2

Policy and Legislative News

Trump administration to circumvent court limits on detention of child migrants 2

Speaker Ryan, on planned immigration policy, says don't separate families at border..... 4

New federal proposals are already hurting immigrant children — long-term costs could be worse 4

Trump wants to cut family-based immigration. The results would be seismic. 4

Progress is slow as hundreds of immigrant children remain separated ... 5

Jeff Sessions Is Executing Trump's Immigration Plans With a Quiet, Efficient Brutality..... 5

Cruelty Is Still the Administration's Response to Asylum Seekers 6

Stop Funding More ICE Detentions, Advocates Urge Congress..... 6

With Trump administration's denial of passports to Latinos in South Texas, 'Birtherism' is back..... 6

'We Appreciate Him and He Appreciates Us': Sheriffs Feel Trump's Support After He Shares Border Policy Plans..... 7

[NY] NYC City Council holds hearing looking at what abolishing ICE would entail 7

[NY] City Council weighs bill that would freeze ICE out of city business..... 7

[OR] Crime by foreigners fuels sanctuary state debate in Oregon 8

Legal News

Union Representing Immigration Judges Files Grievance Against EOIR and DOJ 8

U.S. Officials Conspired Against, Owe Immigrant Kids: Suit..... 8

One Simple Way to Help Immigrants Fight Deportation 9

[TN] McKanders leads Immigration Practice Clinic helping refugees..... 10

[NC] Immigrant assistance to be N.C. Baptist outreach.....	10	[SC] Previously deported illegal immigrant sentenced on weapons charge	13
Enforcement News		[GA] Atlanta calls for ICE to move its detainees out of the city jail	13
Sessions to Indiana Police: "We're With You"; Slams ICE Critics.....	11	[AL] Immigration advocates, NAACP claim ICE arrests were racial profiling.14	
ICE arrests and removals continue to surge under Trump	11	[OH] Mexican gang member arrested near Fremont; felon previously was deported twice	14
ICE Operation in Midwest Nets 364 in One Month.....	12	[MI] ICE: Sanilac murder suspects are in U.S. illegally	14
Toddler's Death After ICE Detention Casts Doubt on Medical Care for Migrant Families	12	[TX] ICE Agent: 'This Company Hired Manual Laborers With Little or No Regard for Their Legal Status'.....	15
[NH] Seacoast Indonesians get deportation reprieve	12	[CO] Supreme Court Decision Could Mean Hope for Sandra Lopez.....	15
[NJ] Hudson County to end contract with ICE to house immigration detainees	13	[AZ] Border Patrol Agents Arrest Group of 163 Migrants in Arizona Desert	15
[SC] Mexican fugitive wanted for murder found in SC town.....	13		

Executive Office for Immigration Review

[MI] 'Every day is a nightmare': Wife of deported father calls for immigration changes
[WGAL 8](#) [9/6/2018 9:20 PM, David Taube, 34K, NC] reports when Cindy Garcia and her two children arrive at their Michigan home, everyone becomes silent. "Until my husband comes back to us, every day is a nightmare," she said. It's been happening since Jan. 15, the day her husband was deported. Jorge Garcia was living in the U.S. for nearly 30 years. They've tried to obtain his citizenship since 2005. Advocates say the system needs changed, citing immigration policy problems and differences with immigration courts across the country. Supreme Court decisions have repeatedly stated that noncitizens have due process rights under the Constitution. Immigration attorney Laureen Anderson-Stepanek, points to disparities between immigration courts. Immigration courts in Georgia and New Mexico are deporting non-citizens more than 90 percent of the time, while those in states like Hawaii and Massachusetts are deporting people in less than half of their immigration cases, according to federal data compiled by trac. "There's a lot of discretion in how to treat the evidence being presented," she said. A spokeswoman for the Executive Office for Immigration Review said the office "takes seriously any claims of unjustified and significant anomalies and disparities in immigration judge decision-making."

Policy and Legislative News

Trump administration to circumvent court limits on detention of child migrants
[Washington Post](#) [9/6/2018 8:57 AM, Nick Miroff and Maria Sacchetti, 11614K] reports that the Trump administration said Thursday it is preparing to circumvent limits on the government's ability to hold minors in immigration jails by withdrawing from the Flores

Settlement Agreement, the federal consent decree that has shaped detention standards for underage migrants since 1997. The maneuver is almost certain to land the administration back in court, where U.S. District Court Judge Dolly M. Gee, who oversees the agreement, has rejected attempts to extend the amount of time migrant children can be held with their parents beyond the current limit of 20 days. But under changes proposed Thursday by the Department of Homeland Security and the Department of Health and Human Services, the administration said it would issue new regulations that "satisfy the basic purpose" of the Flores settlement and ensure migrant children "are treated with dignity, respect and special concern for their particular vulnerability as minors."

"Today, legal loopholes significantly hinder the Department's ability to appropriately detain and promptly remove family units that have no legal basis to remain in the country," said DHS Secretary Kirstjen Nielsen, in a statement. "This rule addresses one of the primary pull factors for illegal immigration and allows the federal government to enforce immigration laws as passed by Congress." The proposal sets up a new immigration battle in court, and comes less than three months after the Trump administration's short-lived attempt to halt an increase in illegal migration by separating children from parents who entered unlawfully. The practice was widely condemned and forced the administration to reverse course and regroup. Thursday's proposed changes amount to the administration's new attempt to eliminate what it views as major obstacles to effective immigration enforcement.

[Law 360](#) [9/6/2018 8:46 PM, Nicole Narea] reports the Trump administration is moving forward with its plan to terminate a decades-old settlement agreement that established bedrock protections for immigrant children in detention, eliminating current licensing requirements such that families can be detained together, according to a proposed rule published Thursday in the Federal Register. Condemned by pro-immigrant advocates Thursday, the rule would vacate a 1997 federal consent decree known as the Flores settlement agreement and allow the administration to detain children with their parents for the entire duration of their criminal or immigration proceedings, which often last months or years. The government asserted that families must be able to be detained together on a wide scale as a method of deterring further unauthorized border crossings. The Department of Homeland Security did not immediately respond to requests for comment on Thursday.

[The Daily Caller](#) [9/6/2018 3:26 PM, Will Racke, DC] reports that current detention policy is governed by the Flores consent decree, a 1997 Supreme Court order that requires the government to release unaccompanied alien children (UAC) from detention to relatives or licensed shelters without unnecessary delay. In 2015, federal Judge Dolly Gee ruled that Flores also applied to children apprehended while traveling in family units. As part of the ruling, Gee established a 20-day maximum period that children could remain in immigration detention with their parents. The Trump administration has sought to overturn that provision, arguing the order's special treatment of migrant families encourages illegal immigration across the southwest border.

Reported similarly:

[Washington Post](#) [9/6/2018 1:09 PM, Colleen Long and Amy Taxin]

[Wall Street Journal](#) [9/6/2018 3:03 PM, Alicia A. Caldwell and Sadie Gurman]

[Huffington Post](#) [9/7/2018 12:02 AM, Angelina Chapin, 9842K]

[CNN](#) [9/6/2018 12:20 PM, Tal Kopan]

[Politico](#) [9/6/2018 10:50 AM, Ted Hesson, 3106K]

[Los Angeles Times](#) [9/6/2018 11:30 AM, Shelby Grad]

[The Hill](#) [9/6/2018 10:58 AM, Nathaniel Weixel, 3846K]
[Huffington Post](#) [9/6/2018 11:13 AM, Reuters]
[Breitbart](#) [9/6/2018 7:18 PM, Staff, 2213K]
[NBC News](#) [9/6/2018 10:09 AM, Julia Ainsley]
[Roll Call](#) [9/6/2018 12:37 PM, Dean DeChiaro]
[VOX](#) [9/6/2018 2:20 PM, Dara Lind, 3472K, DC]
[Insider](#) [9/6/2018 11:06 AM, Michelle Mark, 1004K]
[Buzz Feed](#) [9/6/2018 3:28 PM, Adolfo Flores, 11771K]
[Newsweek](#) [9/6/2018 4:05 PM, Nicole Goodkind, 2126K, NY]
[ThinkProgress](#) [9/6/2018 12:33 PM, Joshua Eaton, 799K, DC]
[Washington Times](#) [9/6/2018 2:03 PM, Stephen Dinan, DC]
[Washington Examiner](#) [9/6/2018 11:01 AM, Katelyn Caralle, DC]
[Washington Free Beacon](#) [9/6/2018 12:20 PM, Charles Fain Lehman, 178K, DC]
[Dallas Morning News](#) [9/6/2018 7:15 PM, Dianne Solis, 496K, TX]

Speaker Ryan, on planned immigration policy, says don't separate families at border

[Reuters](#) [9/6/2018 11:16 AM, Staff] reports Speaker of the U.S. House of Representatives Paul Ryan on Thursday said he did not know the details of President Donald Trump's plans to stop following strict limits on detaining migrant children, but said he believes the administration agrees that families should not be separated at the border. "Just heard about it this morning. My position's been really clear about this: we should not be separating people at the border," Ryan said at a briefing. "I believe that the administration also agrees -- from the people I've spoken with in the administration -- we shouldn't be separating families at the border."

New federal proposals are already hurting immigrant children — long-term costs could be worse

[The Hill](#) [9/6/2018 4:00 PM, Anna Gassman-Pines] reports that in recent days, many immigrant parents have called local health providers demanding to be dropped from federal nutrition programs in fear that accepting federal aid could keep them from getting a green card. This trend is not isolated to one community. According to news reports, agencies in 18 states have seen enrollment drops of up to 20 percent, which they attribute largely to fears about immigration policies. Immigrant families are pulling out of programs such as the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), which provides infant formula, whole grain breads, milk and other food and nutritional support for low-income pregnant women and children during the crucial first five years of life. They are pulling out despite being eligible: Immigrant children born in this country are U.S. citizens, and thus qualify for WIC. Public health advocates have been quick to point to the increased risk for low birth weight and other health problems that could result. Yet little attention has been given to an equally concerning effect: extreme parental stress and the domino effect it has on children's health and well-being.

Trump wants to cut family-based immigration. The results would be seismic.

[AZ Central](#) [9/6/2018 9:00 AM, Daniel González, 665K, AZ] reports that first lady Melania Trump's immigrant parents are now U.S. citizens. Viktor and Amalija Knavs, who are originally from Slovenia, took the citizenship oath in August at a federal building in Manhattan. They benefited from exactly the form of family-based immigration that President Donald Trump, their son-in-law, wants to sharply curtail. Under the system, U.S. citizens can petition for their closest relatives to get green cards. Then, after waiting several years,

the relatives can apply to become full-fledged citizens. In the Knavses' case, their daughter, Melania Trump, a U.S. citizen, reportedly petitioned for them to receive green cards, and they in turn were able to apply for citizenship.

For generations, family reunification has been the cornerstone of the U.S. immigration system under the guiding principle that immigrants assimilate better when they have the support of their families. But Trump derisively calls the nation's family-based immigration system "chain migration." He has fought to replace it with a merit-based system that largely grants green cards to immigrants based on their abilities instead of their family ties.

Progress is slow as hundreds of immigrant children remain separated

[CNN](#) [9/6/2018 7:25 PM, Tal Kopan] reports that a status report Thursday on the effort to reunify families separated by the U.S. government at the border tells a familiar refrain: It is slow going reuniting these families, and hundreds of children remain separated from their parents. The weekly status reports in the ongoing court case over the government's separation of roughly 2,600 children from their parents at the border have indicated slow progress since the July deadline to reunify all eligible families. A particularly difficult issue has been the more than 400 parents the government deported without their children before the separations and deportations were halted. The government says those were all voluntary departures, but the American Civil Liberties Union, which brought the lawsuit, and advocates for the immigrants have said many were coerced or did not understand what they were agreeing to.

Reported similarly: [KPBS](#) [9/6/2018 8:00 AM, Jean Guerrero, CA]

Jeff Sessions Is Executing Trump's Immigration Plans With a Quiet, Efficient Brutality

[Mother Jones](#) [9/7/2018 6:00 AM, Sophie Murguia and Kanyakrit Vongkiatkajorn] reports over the past few months, Attorney General Jeff Sessions has faced fierce criticism for his role in the Trump administration's family separation policy. But while the White House continues to deal with the fallout from tearing kids away from their parents at the border, Sessions has been busy orchestrating another, much quieter attack on the country's immigration system. Tensions have been simmering for months between the attorney general and the hundreds of judges overseeing immigration courts, but they reached a new high in July. The flashpoint was the case of Reynaldo Castro-Tum, a Guatemalan man who was scheduled to appear in a Philadelphia immigration court, but had repeatedly failed to turn up. The judge, Steven Morley, wanted to determine whether Castro-Tum had received adequate notice, and rescheduled a hearing for late July. But instead of waiting for that appointment, the Justice Department sent a new judge from Virginia to take over the case. Judge Deepali Nadkarni subsequently ordered Castro-Tum deported.

The move sparked immediate outcry: The National Association of Immigration Judges, a union representing about 350 immigration judges, filed a formal grievance, and 15 retired immigration judges released a public statement condemning the action. "Such interference with judicial independence is unacceptable," they wrote. This was just the latest of many accusations that Sessions and his Justice Department were interfering with judicial independence in immigration courts. Since the beginning of the year, the attorney general has severely limited judges' ability to manage their cases, increased pressure on judges to close cases quickly, and dramatically reshaped how America determines who it will shelter. While Sessions isn't the first attorney general to exercise these powers, immigration

advocates say he's using his authority in unprecedented ways and as a result severely limiting due process rights for migrants.

Cruelty Is Still the Administration's Response to Asylum Seekers

[Washington Monthly](#) [9/6/2018 8:00 AM, Nancy LeTourneau, DC] reports Judge Dana Sabraw ordered the Trump administration to reunite the migrant families that were separated as a result of their zero-tolerance policy by July 26th. It's now been 42 days since that deadline passed and here's where things stand: According to the most recent numbers, the Trump administration continues to have 497 children under U.S. custody, including 22 kids age 5 and under. The parents of 322 children have already been deported, including six kids age 5 and under. Under the previous update, the Trump administration had 528 children under custody, including 23 kids age 5 and under. The numbers are barely moving, and when every day in custody is another day of trauma, this is unacceptable. That represents a colossal and cruel failure on the part of this administration. But rather than focusing their energy on correcting that inhumane mistake, they are going to try another route to accomplish the same ends.

The Trump administration said Thursday it is preparing to circumvent limits on the government's ability to hold minors in immigration jails by withdrawing from the Flores Settlement Agreement, the federal consent decree that has shaped detention standards for underage migrants since 1997. The maneuver is almost certain to land the administration back in court, where U.S. District Court Judge Dolly M. Gee, who oversees the agreement, has rejected attempts to extend the amount of time migrant children can be held with their parents beyond the current limit of 20 days. But under changes proposed Thursday by the Department of Homeland Security and the Department of Health and Human Services, the administration said it would issue new regulations that "satisfy the basic purpose" of the Flores settlement and ensure migrant children "are treated with dignity, respect and special concern for their particular vulnerability as minors." "Today, legal loopholes significantly hinder the Department's ability to appropriately detain and promptly remove family units that have no legal basis to remain in the country," said DHS Secretary Kirstjen Nielsen, in a statement. "This rule addresses one of the primary pull factors for illegal immigration and allows the federal government to enforce immigration laws as passed by Congress."

Stop Funding More ICE Detentions, Advocates Urge Congress

[Law 360](#) [9/6/2018 6:57 PM, Nadia Dreid] reports that nearly 200 immigrant organizations pushed Congress not to approve any more funding for immigrant detentions, accusing the U.S. Department of Homeland Security of manipulating the budget process to get more funds than they were promised. In a letter on Wednesday, the groups urged the members of the House and Senate Appropriations Committees to refuse to grant DHS' second request in six months for a budget increase for U.S. Immigration and Customs Enforcement, saying the nearly \$1 billion increase the department has gotten in the last two years is enough. The letter was signed by 175 national and local immigrant and civil rights organizations, including the Detention Watch Network, the National Immigrant Justice Center, the Immigrant Defense Project and Human Rights Watch.

With Trump administration's denial of passports to Latinos in South Texas, 'Birtherism' is back

[The Hill](#) [9/6/2018 10:30 AM, Raul A. Reyes, 3846K] reports that Birtherism is back. According to reporting last week from The Washington Post, the Trump administration is

denying passports to Hispanic Americans in South Texas based on suspicions about where they were born. One man, who served in the Army, the Border Patrol, and as a state prison guard, applied to renew his passport and was told the government did not believe he was a citizen. Some passport applicants with U.S. birth certificates are being sent to immigration detention. The Post says that "hundreds, and possibly thousands" of Latinos along the southern border are being accused of fraud by authorities as part of a "widespread crackdown." This Trump administration policy raises serious legal and constitutional questions.

'We Appreciate Him and He Appreciates Us': Sheriffs Feel Trump's Support After He Shares Border Policy Plans

[Independent Journal Review](#) [9/6/2018 10:44 AM, Madison Dibble, 117K] reports that President Donald Trump met with several county sheriffs from across the country to discuss immigration and sanctuary cities and there was one clear takeaway from their meeting: The president has local law enforcement's back. Sheriff Chuck Jenkins of Frederick County, Maryland met with the president to discuss how county-level law enforcement can assist Immigration and Customs Enforcement. According to the sheriff, the president was looking for feedback as to how federal and local law enforcement can partner to secure the border and address illegal immigrants within the United States. The sheriff stated that they were able to meet with the president and his policy staff to discuss issues with detaining arrested illegal immigrants, expanding facilities used by ICE, and border security strategy. Sheriff Jenkins also talked about the difficulties that arise when local governments become sanctuary cities and counties rather than enforcing the law.

[NY] NYC City Council holds hearing looking at what abolishing ICE would entail

[PIX 11](#) [9/6/2018 4:28 PM, Joe Mauceri, NY] reports that there have been rallies and calls on social media to abolish Immigration and Customs Enforcement (ICE) and on Thursday New York City Council took it one step further as the Committee on Immigration held a first-of-its-kind hearing on what it might look like to get rid of the agency. "There's no doubt that the question around abolish ICE has reached fever pitch," City Councilman Carlos Menchaca said. "So many of our communities are asking us to think about this." Menchaca chairs the City Council's Immigration Committee, which introduced a new bill that would prohibit the city from doing business with immigration enforcement entities. "We want to be able to show how cities can talk about it in a very thoughtful way," Menchaca said. "That is what will bring us to a better solution and not in this polarized discussion that we see today in the political campaigns." During the hearing, experts argued that the tactics used by ICE have sent many immigrants into hiding whether they're undocumented or in the country legally.

Reported similarly:

[Breitbart](#) [9/6/2018 7:25 PM, Katherine Rodriguez, 2213K]

[WNYC](#) [9/6/2018 5:39 PM, Beth Fertig, 122K, NY]

[New York Daily News](#) [9/6/2018 5:55 PM, Jillian Jorgensen, 1842K, NY]

[NY] City Council weighs bill that would freeze ICE out of city business

[New York Post](#) [9/6/2018 8:29 AM, Rich Calder, 4882K, NY] reports that a Brooklyn councilman is pushing a bill that would prohibit the city from contracting business with entities enforcing federal immigration laws. The City Council's Immigration Committee on Thursday will hold a hearing on the bill introduced by its chairman, Brooklyn Democrat

Carlos Menchacca. The councilman introduced the measure in response to the Trump administration crackdown on illegal immigrants, but sources said even the left-leaning de Blasio administration has some reservations.

[OR] Crime by foreigners fuels sanctuary state debate in Oregon

[U.S. News & World Report](#) [9/6/2018 10:00 PM, Andrew Selsky] reports that a man suspected of being in the United States illegally ran a red light while drunk on a street in Oregon's state capital and crashed into a motorcycle carrying a man and woman, killing them both, authorities said. A judge set bail for Eduardo de la Lima Vargas at \$500,000 on Wednesday, saying he's a threat to society and a flight risk. The Mexican man was sent back to the Marion County jail, joining the hundreds behind bars in Oregon who federal immigration authorities believe are deportable.

All had Immigration and Customs Enforcement detainers on them, said Cross, who compiles data from ICE and the state corrections department for his reports. ICE spokeswoman Carissa Cutrell said her agency "only lodges detainers on individuals who are subject to removal, meaning these individuals violated the terms of their lawful status or are in the country illegally." On Aug. 23, ICE lodged an immigration detainer on de la Lima Vargas, saying he is illegally residing in the United States. The jail won't accept ICE detainers without a criminal warrant issued by a magistrate judge, ICE officials say. "Sanctuary policies not only provide a refuge for illegal aliens, but they also shield criminal aliens who prey on people in their own and other communities," ICE said in a statement.

Legal News

Union Representing Immigration Judges Files Grievance Against EOIR and DOJ

[Murthy Law Firm](#) [9/6/2018 10:38 PM, Staff] reports on August 8, 2018, the National Association of Immigration Judges (NAIJ) filed a grievance against the Executive Office for Immigration Review (EOIR) and the U.S. Department of Justice (DOJ), alleging that the EOIR violated an immigration judge's authority to make decisions based on independent judgment and discretion. The NAIJ is the union that represents U.S. immigration judges. In short, the NAIJ is accusing the EOIR of replacing an immigration judge (IJ), part way through a case, with a judge who would give the EOIR its desired outcome – having the defendant ordered to be removed (i.e. deported) from the United States. IJ Replaced in Matter of Castro-Tum Normally, a case that is before immigration court is decided by an IJ. Earlier this year, however, Attorney General Jeff Sessions exercised a rarely used power to have several cases reassigned to him. In one of these cases, Matter of Castro-Tum, Sessions used this opportunity to issue a broad rule that eliminates the ability of IJs to administratively close cases.

U.S. Officials Conspired Against, Owe Immigrant Kids: Suit

[Law 360](#) [9/6/2018 10:38 PM, Alison Noon] reports Boston immigration and civil rights attorneys said Thursday they are seeking to hold a dozen members of the Trump administration personally responsible for the trauma endured by more than 2,000 children the government separated from their parents this year at the U.S. border with Mexico. A class action filed in Massachusetts federal court the night before the announcement claimed to know exactly who designed a "zero tolerance" policy for people who cross the border illegally — and sued them in their individual capacities. The lawsuit called for the officials to

create a mental health treatment fund and pay unspecified monetary damages to a class of children subjected to the policy "with no legal justification." The complaint said many of them were seeking asylum.

The Lawyers' Committee for Civil Rights and Economic Justice, in a news release and news conference held at Todd & Weld LLP in Boston, announced the lawsuit against Attorney General Jeff Sessions, White House Chief of Staff John Kelly, U.S. Customs and Border Protection Commissioner Kevin K. McAleenan and the current and preceding director of U.S. Immigration and Customs Enforcement. The suit did not name President Donald Trump, who stopped the separation policy in June. His administration was court-ordered in August to stop deporting children who had been held in the U.S. since being separated from their families at the border. Representatives for ICE and CBP declined to comment. Representatives for Sessions, the U.S. Department of Homeland Security and other agencies were not immediately available to comment Thursday.

[U.S. News & World Report](#) [9/6/2018 10:22 AM, Alanna Durkin Richer] reports that "these children are innocent and federal officials harmed them based solely on their race and national origin," said Ivan Espinoza-Madrigal, executive director of the Lawyers' Committee for Civil Rights and Economic Justice and one of the lawyers who filed the lawsuit in Worcester, Massachusetts against Attorney General Jeff Session and other administration officials. "It is illegal and unjust. These families must be made whole for the harrowing experience they have survived," Espinoza-Madrigal said.

The [Legal Reader](#) [9/6/2018 7:29 PM, Ryan J. Farrick] reports that along with the U.S. attorney general and White House chief of staff, Trump adviser Stephen Miller and Department of Homeland Security Secretary Kirstjen Nielsen are named as defendants. Also included in the suit are a handful of officials from the U.S. Immigration and Customs Enforcement agency, which has played a critical role in the capture, detainment and deportation of undocumented immigrants.

Reported similarly:

[Boston Globe](#) [9/6/2018 7:28 AM, Maria Cramer, 854K, MA]

[WBUR](#) [9/6/2018 2:09 PM, Shannon Dooling, 228K, MA]

[MassLive](#) [9/6/2018 4:06 PM, Jacqueline Tempera, 180K, MA]

One Simple Way to Help Immigrants Fight Deportation

[The Nation](#) [9/6/2018 2:25 PM, Michelle Chen] reports we all know the drill from prime-time TV: People arrested for crimes have the right to remain silent, and also to legal counsel, and "If you cannot afford an attorney, one will be appointed for you." But in immigration court, the right to legal defense simply doesn't exist, because such cases fall under civil, not criminal law. So, for the tens of thousands of people caught up in deportation proceedings every year, their right to remain in the country is on trial, and they face the punishment of losing their families and homes in the United States, and being sent to countries where their lives may be endangered. Yet they are often on their own in court. New Jersey is one of a handful of states trying to buck that trend: In July, Governor Phil Murphy's administration launched a promising pilot program to provide immigrants with free legal counsel in selected cities, with about \$2 million earmarked for legal services in the state budget. The rollout of the program now seems uncertain, however; the actual disbursement of the funds so far has reportedly been botched by confusion over the allocation procedures for lawyers, and advocates across the state are still waiting.

Currently, 67 percent of immigrants in detention in the state lack legal counsel. According to the NJPP report, immigrants in New Jersey who are detained and lack lawyers "are deported 86 percent of the time." A 2016 study of detainee outcomes by Seaton Hall Law Center showed that those with legal counsel were less likely to be detained and those in detention without legal representation were four times more likely to end up deported. But immigrants' legal fees could easily cost well into the thousands, plus the massive cost of bail itself. The report supports a new initiative in the state's budget to provide a universal counsel program for immigrants, similar to a program in New York that has expanded legal aid for fighting immigration cases. Overall, more than 74 percent of immigrant court cases in New York have lawyers. With ICE arrests up 40 percent across New Jersey, the state would need to act quickly to protect immigrant communities and the state economy. Even more people will face deportation in the coming months: Tens of thousands of youth eligible for temporary deportation reprieve under the Obama-era DACA program are soon set to lose their status, while nearly 14,000 others who are shielded on humanitarian grounds by Temporary Protected Status will soon face deportation back to Guatemala, El Salvador, Haiti, and Nepal. Already, a massive backlog of cases is overwhelming immigration courts nationwide.

[TN] McKanders leads Immigration Practice Clinic helping refugees

[Vanderbilt News](#) [9/6/2018 2:09 PM, Amy Wolf, TN] reports Clinical Professor of Law Karla McKanders has spent her professional life focused on researching and practicing immigrant and refugee law. She is now directing the first Immigration Practice Clinic at Vanderbilt Law School, where students do pro bono work with refugees. McKanders can explain the legal process families and children go through once they cross the border and what pro bono immigration lawyers do for refugees. Her scholarship focuses on immigration federalism and international systems for processing refugees. McKanders and her students wrote amicus briefs for Attorney General Jeff Sessions on the federal immigration litigation: "The students' amicus brief provides attorneys and advocates the existing case law with the Board of Immigration Appeals, every Federal Circuit Court of Appeals, and the United States Supreme Court that harms inflicted by private actors can constitute persecution when the state is unwilling or unable to protect the applicant. The brief also confirms that it is well established that such harms can constitute persecution with respect to every protected ground under the Immigration and Nationality Act § 101(a) (42). It is our hope that advocates and attorneys can utilize the amicus brief as a starting point in advocating for their clients who may be impacted by the Attorney General's decision."

[NC] Immigrant assistance to be N.C. Baptist outreach

[Baptist Press](#) [9/6/2018 2:09 PM, Mike Creswell] reports North Carolina Baptists are stepping up their ministry to immigrants. A new Baptist Immigrant Services (BIS) ministry being gradually launched by the Baptist State Convention of North Carolina (BSCNC) will set up a yet-unspecified number of immigration ministry centers across the state. The first center is being established in Lincolnton. Churches and associations will be encouraged to establish a variety of ministry efforts to engage immigrants with the Gospel. In addition, the ministry centers will be staffed by individuals trained and qualified to help immigrants understand their rights and immigration options. As those ministry centers develop in the coming months, they will be able to provide information and a biblical/theological understanding of immigration to help equip churches to meet and minister to their immigrant neighbors. Ministering to immigrants could include hosting immigrant families, providing

hospitality and basic fellowship to them, or generally helping the newcomers become integrated in local communities.

CIR director John Faison, who attends Crossroads Community Church in Raleigh, has been providing guidance to the convention in setting up the new centers to aid immigrants. Faison said the goal of the ministry is "to effectively show God's heart for the vulnerable. The ministry is not so much to immigrants as it is a ministry for the churches to participate with God's heart for the vulnerable." Because immigration is controlled by the federal government, those who are not lawyers but want to provide legal counsel to immigrants must be accredited by the Department of Justice through its Office of Legal Access Programs. The process entails extensive training, mastery of a complex set of laws and passing an examination. The government has made this option available to nonprofit organizations and churches because of the high numbers of immigrants involved.

Enforcement News

Sessions to Indiana Police: "We're With You"; Slams ICE Critics

[WIBC](#) [9/6/2018 2:55 PM, Chris Davis, 7K, IN] reports that violent crime is being reduced in America, said U.S. Attorney General Jeff Sessions in a speech to Hoosier police officers and prosecutors at the 2018 Indiana Law Enforcement Conference. His message to law enforcement, "Pres. Trump and I are proud to stand with you." Sessions also admonished the critics of ICE and Homeland Security. "We stand in steadfast support of our outstanding ICE officer and Homeland Security. They do essential work in this country," he said. "They are doing the kind of things the law requires them to do. The foolish and duplicitous critics of them simply just don't want immigration law to be enforced."

ICE arrests and removals continue to surge under Trump

[The Hill](#) [9/6/2018 3:22 PM, Michelle Burke] reports the number of arrests and removals by Immigration and Customs Enforcement (ICE) increased in the first three quarters of fiscal year 2018 compared with the same period the previous year, according to new figures released Thursday. Arrests of undocumented immigrants rose by 17 percent and removals were up by about 9 percent between October 2017 and June 2018. Almost 120,000 undocumented immigrants were arrested, compared with about 102,500 arrests during the same period in 2017. ICE arrested about 40,000 immigrants who did not have prior criminal records, up from about 24,000 arrests in the same fiscal 2017 period. That follows previously reported trends of ICE officers picking up more individuals who do not have a record of criminal conviction. The Trump administration has said it will focus its immigration enforcement efforts on individuals with criminal backgrounds. ICE made about 41,000 total arrests in the third quarter, April through June, up slightly from 40,000 in the second quarter. Nathalie Asher, the acting executive associate director for ICE's Enforcement and Removal Operations, said on a call with reporters Thursday that the arrests reflect the agency's "focus on target and enforcement operations that are based on intelligence leads." "We continue to focus our enforcement efforts on those who pose a public safety threat and those who violate the integrity of our immigration laws," Asher said. She added that, of the immigrants arrested who didn't have criminal convictions, 61 percent came to ICE's attention "due to criminal charges" and said some may have criminal convictions that ICE can't confirm.

The [Washington Times](#) [9/6/2018 2:55 PM, Stephen Dinan, 602K] reports that immigration

arrests and deportations are rising under the Trump administration, according to the latest statistics released Thursday – though they're still far shy of the levels during the peak years of President Obama. U.S. Immigration and Customs Enforcement says it's removed more than 191,000 people through the first nine months of the fiscal year, which is 9 percent higher than the same period in 2017. Those deportations span both people nabbed at the border by Customs and Border Protection, and in the interior of the U.S. by ICE, where arrests are up 17 percent so far this year.

ICE Operation in Midwest Nets 364 in One Month

[Center for Immigration Studies](#) [9/6/2018 4:42 PM, Preston Huennekens] reports that Immigration and Customs Enforcement recently completed a massive multi-state enforcement operation targeting criminal aliens that resulted in the arrests of 364 individuals. Of those, 187 (51 percent) had prior criminal convictions and 97 had been previously removed from the United States. This took place across the six states within the Chicago area of responsibility. A plurality of those arrested were encountered in Illinois, identified by the Center as a sanctuary state. While nationals from 25 countries were arrested, the majority (64 percent) were Mexican nationals. Although ICE does arrest all illegal aliens it encounters during the execution of an enforcement action, the majority in this case had prior criminal convictions. That is in line with the most recent data, which shows that a majority of ICE arrests in FY 2017 and in YTD FY 2018 were criminal aliens.

Toddler's Death After ICE Detention Casts Doubt on Medical Care for Migrant Families

[KQED](#) [9/6/2018 8:00 AM, Julie Small, 194K, CA] reports that advocates for immigrant children in California and beyond are raising concerns about medical care in family detention centers run by U.S. Immigration and Customs Enforcement, after news that a toddler who got sick in ICE custody subsequently died. More than 2,000 parents and children are currently being held in three ICE family detention facilities. Among them are roughly 220 children who were reunited with their parents on the orders of a federal judge in San Diego, reversing a government strategy of separating families at the border.

At the South Texas Family Residential Center in Dilley, Texas, the largest of the three family detention centers, advocates have long complained that medical care is inadequate. The allegation snapped into focus in August, when reports surfaced that a 19-month-old Guatemalan girl, who had been detained there with her mother, died just weeks after the family's release. Mariee Juarez contracted a respiratory infection a week after she arrived at the Dilley detention center in March. Her mother, Yazmin Juarez, took her to the hospital after they were released but by then her condition was so severe that she died May 10. Mariee's mother plans to sue ICE for failing to treat the girl. An August 28 claim notice, filed by her attorneys, alleges that insufficient care at the center caused the toddler's death. The family is seeking \$40 million in damages. A statement from ICE says the agency spends \$250 million a year on comprehensive health care for all detainees, and "takes very seriously the health, safety and welfare of those in our care."

[NH] Seacoast Indonesians get deportation reprieve

[Foster's Daily Democrat](#) [9/6/2018 6:52 PM, Brian Early, 18K, NH] reports that some 50 Indonesians facing deportation, most of whom reside in the Seacoast area, have had their deportation orders voided and their asylum proceedings reopened after recent orders from the Board of Immigration Appeals.

[NJ] Hudson County to end contract with ICE to house immigration detainees

[North Jersey.com](#) [9/6/2018 4:42 PM, Staff, NJ] reports that Hudson County will end its contract to hold federal immigration detainees at its jail in Kearny, joining a growing number of government agencies that are distancing themselves from the Trump administration's stepped-up enforcement of the nation's immigration laws. In a statement on Thursday, the county executive, Tom DeGise, announced that the county would initiate a "Path to Exit" from its contract to hold in custody detainees for U.S. Immigration and Customs Enforcement, or ICE. He said he planned to send a resolution to the county freeholders for a vote next week that would provide that the current agreement with ICE cannot extend beyond the end of 2020 without the freeholders' consent.

Reported similarly:

[WNYC](#) [9/6/2018 4:59 PM, Matt Katz, 122K, NY]

[Jersey Journal](#) [9/6/2018 8:15 PM, Terrence T. McDonald, 965K, NJ]

[SC] Mexican fugitive wanted for murder found in SC town

[Durham Herald-Sun](#) [9/6/2018 11:57 AM, Emily Bohatch, 15K, NC] reports that a Mexican national was arrested in North Charleston Wednesday after a tip lead to his location, according to a statement from the U.S. Marshals Service. Jorge Cruz-Antonio, who was in the U.S. illegally, was wanted for murder and grand theft auto in Mexicali, Mexico, according to the statement. Cruz-Antonio also goes by the names Jorge Morales Mejia and Jose Alberto Ruiz Castro. After watching him for about 10 minutes, officials from the U.S. Marshals, Immigration and Customs Enforcement, North Charleston Police and the Charleston County Sheriff's Office neared his car, according to the statement. Cruz-Antonio took off on foot, leading officers on a short chase, according to the statement. He was soon arrested and placed into ICE custody.

[North Jersey](#) [9/6/2018 4:39 PM, Monsy Alvarado, 71K, NJ] reports that Tom DeGise, announced that the county would initiate a "Path to Exit" from the contract that it hastily renewed in July to hold in custody detainees for U.S. Immigration and Customs Enforcement, or ICE, at the Hudson County Corrections and Rehabilitation Center. In doing so, the county joined a growing number of counties and cities that are distancing themselves from the Trump administration's stepped-up enforcement of the nation's immigration laws. Rachael Yong Yow, an ICE spokeswoman, declined to comment.

Reported similarly: [FOX News](#) [9/6/2018 5:34 PM, Nicole Darrah, 11653K]

[SC] Previously deported illegal immigrant sentenced on weapons charge

[Greenville News](#) [9/6/2018 2:03 PM, Elizabeth LaFleur, SC] reports a Mexican citizen who was previously deported from the United States on multiple occasions was sentenced on a felony weapon charge in Greenville this week. According to a release from the United States Attorney's Office in South Carolina, Luis Cenobio Barrera, 24, of Tamaulipas, Mexico, was sentenced to 108 months in prison after pleading guilty to being a felon in possession of a firearm. During the search, officers located a military-style rifle in Barrera's vehicle, according to the U.S. Attorney's Office. Based on information provided by Greenville police, the Department of Homeland Security identified Barrera as a citizen of Mexico who was previously removed from the U.S. on multiple occasions.

[GA] Atlanta calls for ICE to move its detainees out of the city jail

[Atlanta Journal-Constitution](#) [9/5/2018 8:00 PM, Jeremy Redmon, 594K, GA] reports that Mayor Keisha Lance Bottoms on Thursday signed an executive order calling for all remaining U.S. Immigration and Customs Enforcement detainees to be transferred out of the city jail as soon as possible and declaring that Atlanta will no longer hold anyone for the federal agency. Her move follows a separate executive order from June that blocked the jail from taking in any new ICE detainees amid enforcement of the Trump administration's "zero-tolerance" policy, which split up many immigrant families on the southwest border. Bottoms has vigorously objected to that federal policy, saying: "As a country, we are better than this." There were just five ICE detainees in the Atlanta City Detention Center as of Wednesday, down from 205 in June. The number has fallen as ICE has released them, deported others and transported some to its other detention centers across the state.

Reported similarly:

[National Review](#) [9/6/2018 3:43 PM, Jack Crowe, 669K]

[11 Alive](#) [9/6/2018 10:39 AM, Lauren Padgett, 87K, GA]

[Atlanta Business Chronicle](#) [9/6/2018 11:19 AM, Dave Williams, GA]

[Toledo Blade](#) [9/6/2018 4:30 PM, Staff, 51K, OH]

[Daily Journal](#) [9/6/2018 3:15 PM, Staff, 5K, IN]

[AL] Immigration advocates, NAACP claim ICE arrests were racial profiling

[Rocket City Now](#) [9/6/2018 2:13 PM, Renata Di Gregorio, 2K, AL] reports that the Alabama Coalition for Immigrant Justice was joined by the NAACP and their allies to hold a press conference in Big Spring Park Thursday morning in response to the 30 arrests made by Immigration and Customs Enforcement officers last week. They claim many of the people arrested have no criminal history and were racially profiled. They say people have a right to know if city agencies have agreements with ICE.

[OH] Mexican gang member arrested near Fremont; felon previously was deported twice

[WTOL-TV](#) [9/6/2018 11:39 AM, Staff, 27K, OH] reports that U.S. Border Patrol agents assigned to the Sandusky Bay Station in Port Clinton have arrested a previously removed Mexican citizen and admitted gang member. The man, 29-year-old Marcos Gutierrez-Sanchez, was encountered by Ohio State Highway Patrol during a traffic stop near Fremont on Aug. 29. U.S. Border Patrol agents assisted in interviewing Gutierrez who was a passenger in the vehicle, who admitted to being from Mexico and not possessing U.S.-issued immigration documents allowing him to be or remain in the United States. Agents arrested him and transported him to the Sandusky Bay Station for processing. Once there, record checks revealed that the man had been previously deported in 2008 and 2012, along with his association with the Sureños. Record checks also revealed two prior felony convictions, one of which was a conviction for smuggling into a detention facility.

[MI] ICE: Sanilac murder suspects are in U.S. illegally

[Huron Daily Tribune](#) [9/6/2018 4:45 PM, Bradley Massman, 2K, MI] reports that a brother and sister, accused of killing a 42-year-old woman in Sanilac County, are illegal immigrants, the U.S. Immigration and Customs Enforcement confirmed Thursday. Leobardo Torres-Castillo, 20, and Francisca Vargas-Castillo, 33, are each charged with single counts of open murder and concealing the death of an individual. "Both are unlawfully present citizens of Mexico," stated Khaalid H. Walls, an ICE official, in an email to the Tribune. "Both individuals are currently subject to immigration detainers, which mean they will be turned

over to ICE at the conclusion of the criminal proceedings. Our records indicate that they are here unlawfully." If convicted, the immigration process would follow the criminal case. "If they are convicted and sentenced, they would serve the prison term and then be turned over to ICE at the full conclusion of their prison sentences," Walls stated.

[TX] ICE Agent: 'This Company Hired Manual Laborers With Little or No Regard for Their Legal Status'

[CNS News](#) [9/6/2018 4:36 PM, Staff] reports that U.S. Attorney for the Southern District of Texas Ryan K. Patrick and Special Agent in Charge Mark Dawson of the Immigration and Customs Enforcement's Homeland Security Investigations (HSI) have issued a statement saying that "Waste Management Texas has entered into a non-prosecution agreement with the government based upon a pattern and practice of hiring illegal aliens at the company's Houston location." "Waste Management of Texas employed at least three managers at its Afton location who actively encouraged and induced aliens to work illegally between 2003 and April 2012," the August 29 statement said. "The five-year HSI investigation resulted in the execution of search warrants in April 2012 where authorities discovered 16 illegal aliens at the Afton location with at least 100 employees in company records verified as fraudulently documented or using an identity that did not belong to them," said the statement.

The statement quoted Special Agent Dawson. "Federal law requires employers to hire only U.S. citizens and aliens who are authorized to work in the country," Dawson said. "This company hired manual laborers with little or no regard for their legal status for almost 10 years at their Afton location. Today, they paid a substantial price for that conduct. We will continue to vigorously enforce immigration law where we find employers engaging in a pattern or practice of hiring unauthorized individuals in reckless disregard of the law."

[CO] Supreme Court Decision Could Mean Hope for Sandra Lopez

[Aspen Public Radio](#) [9/6/2018 5:59 PM, Wyatt Orme, CO] reports that the crowd in Carbondale waited for Sandra Lopez to emerge from the house she hadn't left in almost a year. The undocumented Mexican immigrant had taken sanctuary with the Two Rivers Unitarian Universalist congregation, living in their parsonage because Immigration and Customs Enforcement doesn't make arrests in what they call "sensitive locations," like houses of worship. In August ICE confirmed Lopez is not a priority for removal. Lopez's case is one of many working its way through the courts, charting new legal territory. It's currently with the Board of Immigration Appeals. If they rule against her, Smith plans to appeal to a higher court.

[AZ] Border Patrol Agents Arrest Group of 163 Migrants in Arizona Desert

[Breitbart](#) [9/6/2018 10:40 AM, Bob Price, 2213K] reports that Tucson Sector Border Patrol agents arrested a group of 163 migrants who illegally crossed the border from Mexico into the Arizona desert. During a routine patrol of the border, Ajo Station agents came upon a group of illegal immigrants who crossed the border several miles west of the Lukeville Port of Entry on Saturday morning. The group of 163 comprised of men, women, and children – including a four-month-old infant, Tucson Sector Border Patrol officials stated. The temperature on Saturday was well into the 90-degree range at the time of the arrest and would hit a high of 106 degrees by late afternoon, according to Weather Underground. "Transnational criminal organizations exploit the vulnerability of foreign nationals with false promises of legal status and encourage dangerous border crossings, which place lives at

risk," Tucson Sector Border Patrol officials said in a written statement obtained by Breitbart Texas. So far this year, nearly 280 have died attempting to illegally make their way to destinations in the U.S., according to the Missing Migrants Project. Nearly 80 of those died in southern Arizona.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Monday, Sept. 10, 2018

Executive Office for Immigration Review

Immigrant Legal Program Failing, Costing \$40M, EOIR Says	3
Attorney General Jeff Sessions to speak to EOIR judges today.....	3
In Immigration Courts, It Is Judges vs. Justice Department.....	4

Policy and Legislative News

House passes bill that could make deportations of immigrant criminals easier	4
More Than 400 Kids Separated From Parents At The Border Are Still In Government Custody	4
First they separated families. Now they're incarcerating children.	5
Don't Let Migrant Kids Rot	6
Migrant Families Separated by U.S. Are Refusing Reunification Over Dangers: ACLU.....	6
Immigrant families struggling with trauma of separation	7
For immigrant families without biological parents, separation might be permanent	7

Trump's policies reminiscent of Operation Wetback	7
Trump Admin. Reopens Asylum Cases of Indonesian Christians Facing Deportation	7
Refugees asking for asylum in Canada argue the U.S. is no longer safe	8
Key GOP Rep. Backs Out On Plan to Undo Sessions Asylum Reform	8
Should America #AbolishICE?	8
Assaults on ICE, Border Patrol surge as illegal immigrants get more violent.....	9
Rep. King to McConnell: Bring Sanctuary City Bill to the Floor	9
Kellyanne Conway: U.S. Cities 'Should Be Sanctuaries for Law-Abiding Americans'	9
Thousands of Indians are living in the U.S. on expired visas.....	10
[TX] Volunteers aid immigrants left at bus stations	10
[AZ] Shelters for child immigrants struggle with accountability, consistent monitoring	10
[OR] Portland mayor walks political tightrope over ICE protests.....	11

[OR] Burgerville union blasts new button ban amid worker-led 'Abolish ICE' campaign	11
Legal News	
No 'New Rule' Was Used To End Immigrants' TPS, Feds Say	12
Even this ultra-conservative judge rejects Trump's argument on DACA....	12
Migrant families file lawsuit over emotional trauma from Trump's 'zero tolerance' policy	12
Recent Developments In Case Law And Policy Applicable To Immigrants And Their Employees	12
Featured Issue: Immigration Courts....	13
On judicial independence	13
[WI] ICE acknowledges \$5 million claim by Beaver Dam man	14
[CA] Exclusive Vanguard Story About ICE Grabbing Immigrant from Courtroom Helped Spur Legislation to Protect Courts from ICE	14
Immigration Services News	
Why is the U.S. so far behind on naturalizing new citizens?.....	14
USCIS Proposes Increase to Premium Processing Fee	15
Enforcement News	
Nationwide strike by prisoners set to end Sunday after weeks of protests....	15
PolitiFact: Visa overstays account for most immigration violations.....	15
[MA] Newburyport resident deported to Brazil by ICE	16
[MA] Cambridge man pleads not guilty in Twitter threat vs. ICE agents.....	16
[CT] Hundreds rally to support undocumented New Havener.....	16
[CT] A deportation stopped with 15 hours to spare	17

[NY] The City Council's perilous rush to slap ICE	17
[MD] Professor's fate: Cleared of murders, convicted for speech	18
[NC] Immigration agents are not visiting UNC-Chapel Hill campus, ICE says	18
[TN] Knox County ICE detainees spike after ex-sheriff signs new agreement ..	18
[AR] Immigration Crackdown Felt in Arkansas.....	19
[GA] Atlanta Mayor Signs Executive Order to Permanently Stop Accepting ICE Detainees at City Jail	19
[GA] 'This is Anti-Trump': Homan Hits Back at Atlanta Mayor for Ending Ties with ICE	19
[FL] Mom Reunited With Children After Being Held By ICE For Weeks	20
[OH] ACLU demands release of Haitian asylum seeker held in Geauga County jail	20
[MI] Deaf, disabled Detroit immigrant in U.S. for 34 years faces deportation	20
[MI] Sanilac County murder suspects are illegal immigrants.....	21
[MI] After 28 years in U.S., Detroit business owner faces deportation.....	21
[IL] Suspect in State Park Place gang shooting told police he was living in country illegally	21
[MN] As deportation wheels grind, Augsburg prof worries, waits.....	22
[IA] Defense Attorney: Dairy Farm Turned 'Blind Eye' to Illegal Alien Status of Alleged Mollie Tibbetts Killer	22
[TX] Houston Dreamer and former teacher celebrating his release from detention.....	23
[TX] In East Texas town, a community responds to federal immigration raid ...	23

[OK] Oklahoma Family of Illegal
Immigrant Feels Railroaded By System
..... 23

[NV] Authorities arrest 135 on felony
charges in Nevada, other states24

[WA] Hunger strike at immigrant jail is
protected speech, ACLU says..... 23

Executive Office for Immigration Review

Immigrant Legal Program Failing, Costing \$40M, EOIR Says

[Law360](#) [9/7/2018 4:34 PM, Cara Bayles] reports a study by the Executive Office for Immigration Review found the Legal Orientation Program that helps immigrants navigate the complexities of immigration court doesn't achieve higher success rates for its participants, but that those participants' detention lasts longer than that of non-LOP participants and costs the federal government \$40 million annually. The LOP is meant to improve the immigration courts' efficiency by informing people facing removal proceedings about their legal rights. Wednesday's study found the program, which costs \$8 million a year, resulted in detention stays that were on average 25 days longer than those of non-LOP participants, costing the federal government an additional \$40 million per year between 2013 and 2017. It also found people who use the legal aid program were subject to court hearings that were longer and more frequent than their counterparts' hearings.

Wednesday's report, the first of three LOP studies the U.S. Department of Justice plans to release this year, came after the program had a near-death experience. On April 11, the Trump administration announced plans to halt the LOP, so the EOIR could conduct a formal review of the program. Democrats on the House and Senate judiciary committees slammed the planned move, noting in a letter to Attorney General Jeff Sessions last week that a DOJ study in 2012 determined that the LOP had saved the federal government \$18 million over a three-year period, all while connecting immigrants with legal services organizations that could provide them with basic information about the immigration legal process. On April 26, Sessions backed off freezing the legal aid program, but said he would still conduct the review.

[Immigration Impact](#) [9/7/2018 2:42 PM, Joshua Breisblatt] reports that the Vera Institute of Justice (Vera), the nonprofit organization who contracts with EOIR to run the LOP program, says this new study has "insurmountable methodological flaws in EOIR's analysis." At DOJ's request, Vera has completed and will submit its own study next week. Vera reports that it has "starkly different findings that prove the efficiencies" of the program—which would be in line with all studies of the LOP conducted over the last 16 years.

Attorney General Jeff Sessions to speak to EOIR judges today

[WGAL](#) [9/10/2018 4:34 AM, Staff, 7K, PA] reports that today Attorney General Jeff Sessions will speak to the largest class of immigration judges in history. He'll speak with the Executive Office of Immigration Review in Falls Church, Virginia. Last year when Sessions addressed immigration judges, he said U.S. policies that allow immigrants to seek asylum in the country are broken. He's expected to address any updates to those policies in today's speech. [Editorial note: consult source link for video]

In Immigration Courts, It Is Judges vs. Justice Department

[New York Times](#) [9/7/2018 7:44 PM, Liz Robbins, 25617K] reports that as the Trump administration pursues a hard-line policy on immigration, it is facing resistance from an unexpected quarter – judges who rule on whether immigrants will be deported or be allowed to stay in the country. Immigration judges are objecting to a series of policy and personnel changes that their bosses at the Justice Department say are aimed at speeding up the immigration courts, which as of the end of June had a backlog of 732,730 cases, 94,871 of them in New York, according to the department's Executive Office for Immigration Review. Some judges, including those in the New York courts, interpret the new policies, which include quotas on how many cases they must hear, as an attempt to control their decision making.

"There's been so much focus on efficiency and speeding up the process," said New York Judge Amiena Khan, speaking as the executive vice president of the National Association of Immigration Judges, the judges' union. To the union, she said, the changes seem like an attempt to turn judges from neutral arbiters into law enforcement agents enacting Trump administration policies. In a statement, a Justice Department spokesman called the changes "a series of common-sense reforms" that will realign "The agency towards completing cases, increasing both productivity and capacity and changing policies that lead to inefficiencies and waste." The union is currently renegotiating its contract with the Justice Department.

Policy and Legislative News

House passes bill that could make deportations of immigrant criminals easier

[Washington Post](#) [9/7/2018 1:49 PM, Mike DeBonis, 11614K] reports that the House on Friday passed a bill that would restore the federal government's ability to deport immigrants for a wide variety of violent criminal offenses in a vote that won quick praise from President Trump. The Community Safety and Security Act aims to address an April Supreme Court ruling that found that the federal definition of a "crime of violence," which under immigration law prompts the mandatory deportation of a noncitizen, is impermissibly vague.

[VOA News](#) [9/7/2018 9:45 PM, Staff] reports that spokeswoman Katie Waldman said Homeland Security Secretary Kirstjen Nielsen "has been adamant in calling for legislative fixes that prevent the release of criminals, including those who have been charged with crimes of violence, into our communities."

Reported similarly:

[NBC News](#) [9/7/2018 11:08 PM, Dennis Romero, 3740K]

[VOA News](#) [9/7/2018 9:45 AM, Staff]

[Washington Examiner](#) [9/7/2018 12:23 PM, Al Weaver, 535K, DC]

More Than 400 Kids Separated From Parents At The Border Are Still In Government Custody

[Huffington Post](#) [9/7/2018 9:56 AM, Marina Fang, 9842K] reports that the Trump administration's weekly report on efforts to reunite children it separated from their parents at the border shows 416 children, including 14 under age 5, remain in custody. The latest status report, filed Thursday as part of an ACLU lawsuit, shows the government continues to make slow progress in returning children to their families. It has been more than a month

since a federal judge's July 26 deadline to reunite all of the more than 2,600 children detained under the Trump administration's highly criticized zero-tolerance immigration policy.

The latest government report shows that in addition to the more than 400 children who remain in government custody, 204 have been "discharged under other appropriate circumstances," such as returning to family members other than their parents, or to guardians or sponsors. Government officials say they have delayed some reunifications because of "red flags," such as criminal histories discovered through background checks, or other safety and well-being concerns. The ACLU argues in Thursday's report that some of these concerns are questionable, and asks the government to expedite two such cases.

Additional reporting:

[PBS](#) [9/7/2018 5:11 PM, Joshua Barajas]

[CNN](#) [9/7/2018 9:20 AM, Holly Yan and Claudia Morales]

[Bustle](#) [9/8/2018 11:52 AM, Caitlin Cruz, 3272K]

[ThinkProgress](#) [9/7/2018 10:38 AM, Amanda Michelle Gomez, 799K]

[Quartz](#) [9/8/2018 7:00 AM, Annabelle Timsit]

[The Intercept](#) [9/7/2018 1:32 PM, Cora Currier, 441K]

[The Atlantic](#) [9/7/2018 10:14 AM, Jeremy Raff]

[Chicago Sun Times](#) [9/10/2018 5:00 AM, Jodi S. Cohen, Melissa Sanchez and Duaa Eldeib, IL]

[The Texas Tribune](#) [9/10/2018 1:01 AM, Ross Ramsey, 131K, TX]

First they separated families. Now they're incarcerating children.

[Washington Post](#) [9/7/2018 7:49 PM, Editorial Board, 11614K] reports that the Trump administration ripped more than 2,600 migrant children from their parents' arms with no plan or procedures for reuniting them, resulting in some 500 children remaining effectively orphaned even today, five months after the fact. Now it proposes a new policy for jailing migrant children indefinitely, one that ensures they "are treated with dignity, respect and special concern for their particular vulnerability as minors." That assurance, along with its rich irony, is offered by Homeland Security Secretary Kirstjen Nielsen, who has proposed the policy in a brazen attempt to escape the strictures of a two-decade-old court settlement forbidding the long-term incarceration of minors who cross the border seeking asylum in the United States. Ms. Nielsen, who was instrumental in executing the zero-compassion policy that traumatized so many toddlers, grade-schoolers, tweens and teens this spring and summer, now would have Americans believe her department recognizes children as particularly vulnerable human beings, deserving of dignity and respect. How will that dignity and respect be meted out when those children are confined, along with their parents, in long-term detention facilities that the administration now proposes to build?

Reported similarly:

[The Hill](#) [9/9/2018 7:30 AM, Nathaniel Weixel and Rafael Bernal, 3846K]

[Los Angeles Times](#) [9/7/2018 12:15 PM, Editorial Board, 3709K]

[Breitbart](#) [9/7/2018 1:42 AM, Neil Munro, 2213K]

[Houston Chronicle](#) [9/8/2018 12:47 PM, Lomi Kriel, 149K, TX]

[KGBT 4](#) [9/7/2018 11:43 AM, Jolanie Martinez, 12K, TX]

[KiiiTV3](#) [9/7/2018 11:03 PM, Oscar Margain, 9K, TX]

[KQED](#) [9/7/2018 1:00 PM, Michael Krasny, 194K, CA]

Don't Let Migrant Kids Rot

[New York Times](#) [9/9/2018 5:00 AM, Staff] reports the Trump administration's latest move against immigrant children is especially troubling. On Thursday, the Department of Homeland Security proposed new regulations that would allow the government to detain migrant children indefinitely. Officials are now prohibited from detaining such minors for more than 20 days by an agreement known as the Flores settlement, which has been in place since 1997. The new rules would end that settlement and would likely open the door to an expansion of detention centers across the country. D.H.S. says that by eliminating Flores, officials will deter illegal immigration, reasoning that undocumented adults will be less likely to enter the country to begin with if they know they can't avoid long-term detention simply by having a child in tow. Immigration activists say the proposed rule's true aims are both simpler and more diabolical than that: Even with Flores in place, those protections have proved thin. Youth migrant shelters — there are roughly 100 such facilities housing more than 10,000 minors across the country — have been cited for a long list of abuses, including physical abuse, sexual abuse, blatant medical neglect, the forcible injection of antipsychotic medications, the unlawful restraint of children in distress and harsh rules that prohibit even siblings from hugging one another.

The shelters in question, several of which are facing lawsuits, are part of a network that has received billions of federal dollars in the past four years alone. That money has continued to pour in even as abuse allegations have multiplied. The administration bears unique responsibility for these violations, in no small part because its disastrous and short-lived separation policy has wreaked havoc on a system that was already rife with problems. Shame alone should have federal officials working hard to undo the damage of that policy and to prevent further harm to the children under their charge, never mind that it's the right thing to do under any number of international agreements and norms. But their latest plan is more likely to exacerbate existing problems than to resolve them. The proposed regulations would eliminate the standing requirement that detention centers submit to state inspections and would narrow the scope of relatives to whom children can be released to only parents and legal guardians — no aunts, uncles or other extended family members. It would also trigger a proliferation of new facilities: The administration projects that Immigration and Customs Enforcement-run family detention would increase from 3,000 beds to 12,000. The number of shelters for unaccompanied immigrant minors may also grow.

Migrant Families Separated by U.S. Are Refusing Reunification Over Dangers: ACLU

[U.S. News & World Report](#) [9/7/2018 7:07 PM, Tom Hals, 3594K] reports immigrant parents separated from their children by the Trump administration and returned to their homes are refusing to be reunited with their children because their countries are so dangerous, an attorney for the American Civil Liberties Union told a court on Friday. "We've had very difficult conversations with the parents this week," Lee Gelernt of the ACLU told a federal judge in San Diego. "As much as they want to be with their child, and it's heartbreaking, they feel it's too dangerous." Gelernt told the court that he had spent time over the past week in Guatemala trying to locate parents of some of the roughly 300 children in U.S. care and found about two-thirds were refusing to have their child returned to them. Gelernt said parents who refused to be reunited tended to have older children who could be recruited by violent gangs if they returned home. The ACLU contacted parents in Central America of 162 children and said 109 refused reunification, according to a court filing.

Reported similarly: [San Diego Union-Tribune](#) [9/7/2018 5:20 PM, Kristina Davis, 320K, CA]

Immigrant families struggling with trauma of separation

[New York Times](#) [9/7/2018 2:59 PM, Associated Press] reports that families who were separated at the U.S.-Mexico border by the Trump administration and then reunited with their children say they are suffering deep emotional wounds and want the U.S. government to pay for mental health treatment to remedy the situation. The families say the joyous reunions that occurred after the government reversed its policy have given way to agonizing daily routines as they've settled back into life in the U.S. and Central America. They say both the children and parents are traumatized by the ordeal. A federal class-action lawsuit filed this week seeks unspecified financial compensation and the creation of a fund to pay for mental health treatment for more than 2,000 children who were taken from their parents after they crossed the U.S.-Mexico border this spring as part of the government's "zero tolerance" policy.

For immigrant families without biological parents, separation might be permanent

[Los Angeles Daily News](#) [9/7/2018 7:22 PM, Roxana Kopetman, 98K, CA] reports that many non-parental families have also recently been separated at the border. It's unclear exactly how many people are in their situation, nor is it known how many of the nearly 500 immigrant children who remain in federal custody arrived in the United States with people who are not their biological parents. Advocates say only that they know of numerous cases of grandparents, older siblings, aunts and other family members who are guardians of children they tried to bring into the country, and who have either been deported and blocked from reunification or remain in detention. For now, non-parental relatives appear to fall outside of a June 26 preliminary injunction issued by U.S. District Court Judge Dana Sabraw in San Diego. Sabraw ordered that some 2,600 children be reunified with their parents within 30 days in response to a lawsuit brought by the ACLU against the Trump administration. Late Thursday, however, an 81-year-old Honduran great-grandmother who is in custody and was scheduled to be deported, won a temporary restraining order from a federal district court judge in Washington D.C., halting the government's efforts to send her home while her court case is being reviewed. Immigrants and their advocates argue that extended family members serving as guardians should be covered by Judge Sabraw's order.

Trump's policies reminiscent of Operation Wetback

[San Antonio Express-News](#) [9/9/2018 12:00 AM, Alfredo Torres Jr., 184K, TX] reports that we are beginning to see resurgent practices of the past in the Trump administration's immigration policy. Trump's America has run rampant, with ICE agents arresting, detaining, and separating immigrant families from their children — literally throwing them in cages. Mexican Americans living on the Texas border are reportedly being denied U.S. passports and are accused of fraud. Some are entering into deportation proceedings, according to a report by Texas Public Radio. The State Department has created a list of suspicious people by focusing on their birth certificates, explicitly those who were delivered by midwives. The actions taken by Trump and his lackeys regarding the social status of Latinos in this country, is reminiscent of the treatment of Mexican-Americans in Texas during the 1950s.

Trump Admin. Reopens Asylum Cases of Indonesian Christians Facing Deportation

[Christian Post](#) [9/7/2018 2:44 PM, Samuel Smith, 169K] reports the Trump administration has reopened the asylum cases of nearly three dozen Indonesian Christian immigrants who face the possibility of deportation back to a country where they could be persecuted. New Hampshire Public Radio reports that 44 of the 51 Indonesian Christians named in a class

action lawsuit over their deportation orders last year received notice on Wednesday that their asylum requests are now being reconsidered by the U.S. government. The decision came from the Justice Department's Board of Immigration Appeals and comes after a judge had previously ruled that the government could not deport the Christians while they seek to have their cases reheard.

Reported similarly:

[Nashua Telegraph](#) [9/8/2018 1:09 AM, Casey Junkins, 7K, NH]

[UG Christian News](#) [9/8/2018 11:30 AM, Staff, Uganda]

Refugees asking for asylum in Canada argue the U.S. is no longer safe

[WUWF](#) [9/7/2018 1:08 PM, Rupa Shenoy, FL] reports since 2017, 33,000 people have crossed unofficially into Canada and made asylum claims. But the influx has declined from a peak in August 2017 of 5,712 asylee applicants. In July, there were just 1,634 claims made by people crossing between official borders. That might be because of the Canadian government's efforts to keep people away, sending representatives to the U.S. and other countries to spread the word that it isn't easy to get refugee status. And, after Canada saw an initial wave of Nigerian refugees, it asked the U.S. to approve fewer Nigerian visas, so fewer people could come to the US and then head to Canada. The number of people making asylum claims after coming legally through official border crossings has climbed from 1,245 in August 2017 to 2,570 in July.

Key GOP Rep. Backs Out On Plan to Undo Sessions Asylum Reform

[Washington Free Beacon](#) [9/7/2018 12:54 PM, Charles Fain Lehman, 178K, DC] reports that after pressure from the White House and his base, Rep. Kevin Yoder no longer backs a House subcommittee plan to undo reforms to the asylum process implemented by Attorney General Jeff Sessions. Yoder, who chairs the subcommittee, believes that the proposal "may be too controversial to make it through the process" and will be dropped from the final Homeland Security appropriations bill, McClatchy reported. Yoder had previously voted in favor of an amendment to the bill offered by subcommittee colleague Rep. David Price. That amendment – which Yoder has now backed down on – would have undone Sessions's ruling in Matter of A-B-, a decision he made in his capacity as final review authority over the whole immigration court system.

Should America #AbolishICE?

[Bedford Times-Mail](#) [9/7/2018 12:26 PM, Gillian Friedman, 4K, IN] reports a new poll shows that the majority of Democrats aren't in favor of abolishing ICE. Just 24 percent of the public supports abolishing the agency, while 40 percent opposes and 34 percent have no opinion, according to the poll by The Associated Press-NORC Center of Public Affairs Research, which was released last week. The backlash against the agency has emerged only recently, coinciding with immigration policies adopted by the Trump administration. Since being elected, Donald Trump has returned to a policy that President Obama originally embraced but ultimately rejected – that of treating any undocumented immigrant as a priority for removal. Though actual deportation numbers thus far are lower than those of the Obama years, which involved a record-breaking number of expulsions, the number of ICE arrests has increased substantially – rising 42 percent between 2016 and 2017.

John Sandweg, who served as acting director of ICE and as acting general counsel of the Department of Homeland Security in the Obama administration, says he sympathizes with

protests against the zero tolerance immigration policy that resulted in families being separated at the border. He says, the blame should be placed on the Trump administration – not on ICE, which he says is simply carrying out the directives of the president. "People who are saying abolish ICE, what they're really saying is that we should get rid of Trump," says Sandweg. "Blame should be placed not on ICE but on the policies of this administration." There are 11.5 million immigrants living in the United States illegally, says Sandweg, but ICE only has the resources to deport around 2,000 of them each year. He says because of these constraints, ICE under previous administrations focused on only the most dangerous individuals, those who posed a real and present danger to public safety.

Assaults on ICE, Border Patrol surge as illegal immigrants get more violent

[Washington Times](#) [9/7/2018 4:30 PM, Stephen Dinan, 602K, DC] reports that assaults on ICE agents reached a decade high in 2017, and assaults on Border Patrol agents have also surged in recent years, according to new government numbers that seem to back up agents' claims that illegal immigrants are increasingly looking to fight rather than flee.

The new numbers, reported by Homeland Security's inspector general, could even be underselling the problem, investigators said, because the government doesn't do a good job of tracking incidents, and agents and officers don't always report them properly. The report does signal renewed danger particularly on the southwest border, where agents say a surge in illegal immigration in recent years generally correlates with growing violence. Customs and Border Protection recorded 1,089 assaults in 2010, which steadily dropped through 2014, when there were just 381 assaults. In the interior Immigration and Customs Enforcement agents and officers saw 48 assaults in 2017, tying 2010 as the highest in records going back to the beginning of the decade.

Reported similarly: [AZ Central](#) [9/8/2018 2:10 PM, Daniel González, 665K, AZ]

Rep. King to McConnell: Bring Sanctuary City Bill to the Floor

[Breitbart](#) [9/8/2018 7:55 PM, Penny Starr, 2213K] reports that Rep. Steve King (R-IA) said on Friday that Senate Majority Leader Mitch McConnell (R-KY) should bring legislation that he and other Republicans introduced last June that would allow victims of criminal illegal aliens and their families in so-called sanctuary cities to sue those jurisdictions for damages. "It sits on Mitch McConnell's desk," King said. "Whether they have the votes or whether they don't I would call on Mitch McConnell — put it on the floor. Let America know where they stand."

The main bill "clarifies U.S. Immigration and Customs Enforcement (ICE) detainer authority – the tool used by federal immigration enforcement officers to pick up criminal aliens from local jails – by establishing statutory probable cause standards to issue detainers for the first time. It also withholds certain federal grants from jurisdictions that violate federal law by prohibiting their officers from communicating with ICE. The bill protects jurisdictions that comply with detainers from being sued while allowing victims of crime to sue jurisdictions that refuse to comply and subsequently release criminal aliens onto the streets."

Kellyanne Conway: U.S. Cities 'Should Be Sanctuaries for Law-Abiding Americans'

[Breitbart](#) [9/7/2018 8:28 PM, Penny Starr, 2213K] reports Kellyanne Conway, counselor to President Donald Trump, said at a rally on Friday on Capitol Hill held to honor Americans who have been killed by illegal aliens that cities across the country should not be

sanctuaries for criminals but safe places for Americans. "American cities should be sanctuaries for law-abiding Americans, not criminal aliens," Conway said at the Angel Families gathering outside of the Capitol. Conway chided the Democrats who have called for abolishing Immigration and Customs Enforcement, which she said last year was responsible for arresting 127,000 criminal illegal aliens, including some 80,000 for drunk driving offenses, 12,000 for sexual crimes, and more than 8,000 charged or convicted of homicide. Conway told the crowd that the president "will never forget" the people who have been the victims of criminal illegal aliens and called on Congress to get to work.

Reported similarly: [FOX News](#) [9/7/2018 12:41 PM, Alex Pappas, 11653K]

Thousands of Indians are living in the U.S. on expired visas

[Quartz](#) [9/10/2018 5:00 AM, Ananya Bhattacharya] reports more Indians tend to overstay their U.S. visa validity than nationals of any other country. The highest number of visa overstays in the "other" category in 2017 came from India, according to an analysis of the Department of Homeland Security's latest entry/exit overstay report by Center for Immigration Studies (CIS), a non-profit, which favors immigration reduction. This group mostly comprises guest workers or other employment-related visas. A few "pre-immigrant" categories such as fiancées are also included. And the numbers are only growing. Overstaying Indian nationals in this segment increased 19% from 8,061 in 2016 to 9,568 a year later. Scores of Indian students were also staying back past their visa expiration dates. "The category with the highest overstay rate is student and exchange visitors (F, M, and J visas). This category has twice the overstay rate of most other categories," authors Jessica Vaughan, director of policy studies, and research associate Preston Huennekens, wrote. "About 40% of the student/exchange visa overstays in 2017 were from just four countries: China, Saudi Arabia, India, and South Korea." DHS figures showed that 4,400 Indian students had expired visas. Overall, the federal agency identified just over 700,000 people who overstayed their US visas in 2017, a decline of 5% from 2016.

[TX] Volunteers aid immigrants left at bus stations

[The Monitor](#) [9/8/2018 11:30 AM, Nadia Tamez-Robledo, TX] reports volunteers from faith-based and grassroots organizations have spent their early morning for several weeks helping people released from an immigrant detention center prepare for their journeys across the country. They are continuing work that started in McAllen when public outrage over the Trump administration's "zero-tolerance policy" and family separations at the border hit its peak earlier this year. Four volunteers from the Good Neighbor Settlement House greeted 15 immigrants who were dropped off around 6 a.m. Friday by Immigration and Customs Enforcement. Volunteers helped them get their bus tickets, use their phones to call family members, distributed backpacks, food and offer rides to those heading for the airport. Those in the process of seeking asylum are sometimes dropped off at La Plaza at Brownsville Terminal with little more than the clothes on their backs, said volunteer Jim Pace.

[AZ] Shelters for child immigrants struggle with accountability, consistent monitoring

[Arizona Daily Star](#) [9/8/2018 6:15 PM, Perla Trevizo, 98K, AZ] reports that they've been called everything from baby jails to summer camps, but an in- depth look at shelters for immigrant minors reveals a well-intentioned system that had to expand rapidly and that struggles with accountability and consistent monitoring. The shelters — 100 nationwide — had been working largely out of the public eye until this summer, as news spread that the

U.S. government was splitting families at the border and that some of the children were being housed there. Protesters started to show up and increased media scrutiny has since revealed instances of overmedication, sexual abuse and improper use of physical restraints.

In Tucson, the Arizona Daily Star reviewed nearly 100 incident reports to the Tucson Police Department from Southwest Key's Estrella del Norte shelter, inspection reports from the Arizona Department of Health Services, and spoke with several current and former employees, as well as with long-time experts. While advocates said the current situation is a vast improvement from prior decades, they added that efforts by the Trump administration to roll back protections for the minors can mean longer stays and increases the likelihood of something going wrong. The changes, said Michelle Brané, director of the migrant rights and justice program at the Women's Refugee Commission, shift the focus from the welfare of children to enforcement.

[OR] Portland mayor walks political tightrope over ICE protests

[Oregonian](#) [9/7/2018 3:07 PM, Gordon R. Friedman, 724K, OR] reports for months, Portland's mayor has been hounded by residents about an issue over which he has no power: immigration. Dozens of people protested against U.S. Immigration and Customs Enforcement at the federal agency's local field office, and Mayor Ted Wheeler drew criticism for supporting protesters' rights to assemble yet not backing their calls for ICE to be abolished. Critics have stormed City Hall to demand Wheeler kick ICE out of the city – drawing a police response for their antics – while dozens more wrote letters to the mayor. Wheeler's order that Portland police take a hands-off approach to the protesters encamped at the ICE office even earned a personal rebuke from President Trump.

The [Oregonian](#) [9/7/2018 4:09 PM, Maxine Bernstein, 724K, OR] further reports that 19 Occupy ICE protesters, including a teenager, made their first appearances in federal court Friday, facing citations for failing to follow orders from federal officers or obstructing entrances during summer demonstrations outside the U.S. Immigration and Customs Enforcement office in Portland. All the protesters asked to go to trial, scheduled separately for Nov. 2. Prosecutors indicated they're not seeking jail time or probation, leaving fines as the likely penalty if convicted.

Reported similarly: [Portland Tribune](#) [9/7/2018 4:00 AM, Zane Sparling, 20K, OR]

[OR] Burgerville union blasts new button ban amid worker-led 'Abolish ICE' campaign

[Oregonian](#) [9/7/2018 5:40 PM, Shane Dixon Kavanaugh, 724K, OR] reports that the union representing Burgerville employees in the Portland area on Friday blasted the company's move to ban buttons on their uniforms, a decision handed down as some workers continue to wear pins proclaiming "Abolish ICE" and other political statements. The Burgerville Workers Union in a tersely worded statement called the new policy, announced Thursday and effective Sept. 13, "disgusting" and "deeply disturbing." The group also accused the company of caving to pressure generated by those angered over the buttons, whom the union appeared to uniformly cast as a horde of right-wing bigots.

Legal News

No 'New Rule' Was Used To End Immigrants' TPS, Feds Say

[Law 360](#) [9/7/2018 7:49 PM, Suzanne Monyak] reports the government is fighting back against a bid by a group of immigrant families to preserve temporary protected status for more than 200,000 immigrants living in the U.S., arguing in a Thursday response brief before a California federal court that the proposed class is unlikely to win on their claims that the terminations violated their constitutional rights. The U.S. Department of Homeland Security urged the court not to grant the proposed class' motion for a preliminary injunction, which sought to prevent DHS from following through with its plans to end TPS designations for El Salvador, Haiti, Nicaragua and Sudan while this litigation is pending. The government claimed in its response brief that its decision to end those TPS designations, which are given to countries in crisis, did not represent a new agency rule in violation of the Administrative Procedure Act, even if the DHS had decided to "weig[h] the statutory criteria differently" than previous administrations had.

Even this ultra-conservative judge rejects Trump's argument on DACA

[Washington Post](#) [9/9/2018 7:30 PM, Editorial Board, 11614K] reports that it would be hard to find many federal judges more sympathetic to the Trump administration's immigration policies than Andrew S. Hanen, a Republican appointee who sits in Brownsville, Tex., on the border with Mexico. From that outpost of the U.S. District Court for the Southern District of Texas, Mr. Hanen fulminated against what he saw as the Obama administration's lax enforcement policies and, in 2015, blocked its effort to shield from deportation millions of undocumented immigrants, including parents of U.S. citizens and other legal residents. Still, even for Mr. Hanen it was too much, and too destructive, to yank similar but existing protections from "dreamers" — young migrants brought to this country by their parents and granted temporary lawful status and work permits in 2012 by the Obama administration's Deferred Action for Childhood Arrivals policy. In an Aug. 31 ruling that surprised that policy's advocates and foes alike, Mr. Hanen refused a request from nine states, led by Texas, that he halt DACA, a move that would upend the jobs, educations and lives of nearly 700,000 teens, 20- and 30-somethings who have grown up in this country and share every attribute of Americanness save proof of citizenship.

Migrant families file lawsuit over emotional trauma from Trump's 'zero tolerance' policy

[ThinkProgress](#) [9/9/2018 3:04 PM, Stephanie Griffith, 799K, DC] reports that migrant families separated at the U.S.-Mexican border under President Trump's "zero tolerance" policy have suffered "life-altering" emotional trauma, according to a lawsuit demanding that the government provide counseling for those affected. The federal class action lawsuit was filed last week by families torn asunder at the U.S.-Mexico border under the administration's family separation policy, CNN reported.

Recent Developments In Case Law And Policy Applicable To Immigrants And Their Employees

[National Law Review](#) [9/7/2018 11:30 AM, Dana R. Bucin] reports in these turbulent times for immigrants, we would like to signal a few recent developments in case law and policy that apply to immigrants and/or their employers. In the case of *Pereira v. Sessions* decided on June 21, 2018, the U.S. Supreme Court ruled that individuals with prior deportation

orders may now apply to reconsider/reopen their cases if they were served with a written notice to appear in removal proceedings that did not specify the "time and place at which the removal proceedings will be held". It is worth noting that most notices to appear served before June 2018 did not specify the required time and place for the removal proceedings, hence many individuals would be eligible to reopen their removal orders under the Pereira case. The Pereira case would benefit in particular those who have been continuously present in the U.S. for 10 years or longer and have a spouse, child(ren) or parent(s) who are U.S. citizens or permanent residents. To take advantage of the path to legalization that this case offers, it is imperative that you contact our office no later than September 21, 2018, which is the deadline for filing motions to reconsider/ reopen under the Pereira case.

2. Employment-Based Immigration

Reported similarly: [Center for Immigration Studies](#) [9/7/2018 4:52 PM, Andrew R. Arthur]

Featured Issue: Immigration Courts

[American Immigration Lawyers Association](#) [9/7/2018 7:49 PM, Staff] reports the Trump administration has implemented policies that will undermine the independence of immigration judges and weaken due process in the immigration court system. Immigration courts play a key role in affording noncitizens an opportunity to present claims for relief and stay in the United States. The changes adopted by DOJ since last year – including steps to impose numerical quotas on immigration judges and attempts to curtail procedural safeguards – threaten the integrity of the immigration courts.

On judicial independence

[Pittsburgh Jewish Chronicle](#) [9/7/2018 4:52 PM, A. Michael Snyder and Jennifer S. Coatsworth, PA] reports when the framers of the U.S. Constitution set out to define the basic structure of our nation and our democracy, they created what has become known as a tripartite system. There were to be three separate, but equal branches of government: the legislative branch, which creates our laws; the executive branch, which is responsible for carrying out the laws enacted by the legislative branch; and the judicial branch, which is charged with determining the validity of the laws, interpreting the laws and administering justice according to law. The tripartite system was supposed to create a system of checks and balances, ensuring that no one branch of government could become all-powerful, thereby threatening the foundations of democracy. In order for the checks and balances of the tripartite system to be effective, an independent judiciary is essential. If the judiciary is controlled or unduly influenced by either the legislative or the executive branch, it becomes too easy for that controlling branch to assume excessive power.

Regrettably, the executive branch, through recent actions by the attorney general of the United States, has attempted to improperly control the judiciary by actions that are a direct violation of the principle of judicial independence. Immigration judges operate under the Department of Justice. They are considered to be federal administrative law judges, operating within the Executive Office for Immigration Review. As federal administrative law judges, their activities are controlled and protected by the Federal Administrative Procedures Act. They, like any other administrative law judge, are entitled to judicial independence. Their decisions are not to be directed by others, nor are they supposed to be influenced by partisan politics. In fact, a description of the qualification standards for administrative law judges, the Federal Office of Personnel Management mandates that "ALJs serve as independent impartial triers of fact in formal proceedings requiring a

decision on the record after the opportunity for a hearing." And yet, despite these protections, Attorney General Jeff Sessions made a direct attack on the judicial independence of Immigration Judge Steven Morley in the matter of Reynaldo Castro-Tum.

[WI] ICE acknowledges \$5 million claim by Beaver Dam man

[Daily Citizen](#) [9/7/2018 8:00 PM, Aaron Holbrook, WI] reports that the federal government has acknowledged a \$5 million claim by a Beaver Dam man who said he was illegally detained in the Dodge County Jail for more than six months by Immigration and Customs Enforcement. The claim was filed June 15 by Chicago attorney John Gorby on behalf of Selepri Amachree, 52. According to the claim, Amachree — an African immigrant who has had permanent legal resident status for nearly 50 years — was taken into custody on Feb. 27, 2017, at the Dodge County Sheriff's Office in Juneau. A federal judge ordered Amachree to be released from jail in September 2017. The response from ICE asks for additional information to process the claim. The government wants detailed information related to the amounts claimed such as itemized bills, reports from anyone who may have treated Amachree and any other evidence that "may have a bearing on the claim for compensation for either personal injury or alleged violation of constitutional right."

An order to deport Amachree had been issued Nov. 7, 2002, but was appealed. The order was related to a drug conviction, but federal courts eventually determined that such convictions were not grounds for deportation and Amachree's case was sent by the 7th Circuit Court of Appeals to the Board of Immigration Appeals on Feb. 7, 2007. For some reason, the BIA did not act on the matter for 10 years, until Amachree had been in custody for six months.

[CA] Exclusive Vanguard Story About ICE Grabbing Immigrant from Courtroom Helped Spur Legislation to Protect Courts from ICE

[Davis Vanguard](#) [9/8/2018 7:55 AM, Crescenzo Vellucci, 5K, CA] reports that a story about ICE pulling someone out of a Sacramento courtroom that broke in the Davis Vanguard first apparently has helped spur last-minute legislation at the State Capitol to protect the state's courtrooms from extralegal intrusion by agents of ICE. An exclusive tip to the Davis Vanguard Sacramento bureau two weeks ago from Sacramento lawyers reporting that ICE agents had, after sitting quietly in a Sacramento Superior Court department, jumped up and grabbed undocumented immigrant, Yovanny Ontiveros-Cebreros, and hustled him out. Lawyers said they were surprised by the action in Dept. 8 and that it was the first time they had seen ICE active in Superior Court here in Sacramento. As a result, it appears legislation was approved in the final days of the legislative year designed to keep ICE agents out of state courtrooms. SB 349 – which was a kidney dialysis bill going nowhere – was gutted Aug. 29 and amended to include language that would, in effect, prevent ICE from taking undocumented immigrants out of state courthouses. It passed the both houses Aug. 31 and awaits the governor's signature. The measure doesn't specifically cite ICE agents, but generally bars civil arrests in state courthouses. ICE Deputy Director Thomas Homan has reportedly told ICE agents to conduct enforcement actions in and around courthouses, "discreetly." But, signed SB 349 would prevent them from even doing that.

Immigration Services News

Why is the U.S. so far behind on naturalizing new citizens?

[Los Angeles Times](#) [9/7/2018 4:05 AM, Pramila Jayapal and Manuel Pastor, 3575K] reports data from U.S. Citizenship and Immigration Services, the agency responsible for processing naturalization applications, currently show a backlog of more than 750,000 people. That's nearly double the number of pending applications that existed at the start of 2016, as pointed out in a report by the National Partnership for New Americans. Waiting time between applying for and receiving approval for citizenship used to be about six months; now it is closer to a year. Some USCIS processing centers, including Los Angeles, report that applicants could linger in naturalization limbo for nearly two years. USCIS has sometimes drifted from its service-oriented mission of adjudicating and processing immigration benefits. Emails exposed in a lawsuit in Boston, for instance, show the agency working with Immigration and Customs Enforcement agents to schedule fake interviews to lure immigrants to appointments where they were arrested and some deported. Pence.

USCIS Proposes Increase to Premium Processing Fee

[National Law Review](#) [9/7/2018 11:30 AM, Dillion R. Colucci] reports on Aug. 31, 2018, the Department of Homeland Security (DHS) proposed a final rule in the Federal Register to increase the premium processing fee for certain visa petitions to \$1,410, effective Oct. 1, 2018. Premium processing, a service offered for certain petitions, requires U.S. Citizenship and Immigration Services (USCIS) to adjudicate a petition (i.e., approve, deny, or send a request for evidence) within 15 calendar days. The increase to the current fee, which is \$1,225, is based upon the percentage change in the Consumer Price Index-Urban Consumers index (14.92%) since the premium processing fee of \$1,225 was introduced. DHS rationale for increasing the fee is to garner additional funds to provide certain premium-processing services to business customers and to make infrastructure improvements in adjudications and customer service processes. DHS estimates the department will receive an additional \$44 million in revenue due to the increased fee. Recently, USCIS established a habit of suspending premium processing for certain petitions as it continually tries to reduce its backlog of petitions.

Enforcement News

Nationwide strike by prisoners set to end Sunday after weeks of protests

[USA Today](#) [9/8/2018 9:39 PM, Dalvin Brown, 8110K, VA] reports that a nationwide strike by prison inmates is set to end Sunday, 19 days after it began. In Washington dozens of immigrants detained at a facility in Tacoma began a hunger strike on the first day of the nationwide boycott. At least one detainee, Murat Azaniez, continued refusing to eat for at least two weeks, according to Democracy Now. According to a statement released on Facebook, the detainees acted in solidarity with "all those people who are being detained wrongfully," as well as "those women who have been separated from their children" due to the Trump administration's "zero-tolerance" immigration policy.

PolitiFact: Visa overstays account for most immigration violations

[Austin American-Statesman](#) [9/9/2018 12:00 AM, Chris Nichols, 59K, TX] reports that the debate over illegal immigration in America most often centers on the unlawful crossings at the U.S.-Mexico border. But Republican House Majority Leader Kevin McCarthy recently claimed there's another factor — visa overstays — that accounts for half of the people in the country illegally. The Pew report put the share of visa overstayers at "as much as 45

percent of the total unauthorized migrant population." The study, however, used data more than two decades old from the Immigration and Naturalization Service, an agency that doesn't exist anymore and whose functions were folded into the U.S. Department of Homeland Security.

[MA] Newburyport resident deported to Brazil by ICE

[Newburyport News](#) [9/8/2018 6:05 AM, Jack Shea, 6K, MA] reports that a Brazilian man recently jailed for his second immigration violation was deported back to his home country in August, according to a representative for U.S. Immigration and Customs Enforcement. John Mohan, a public affairs officer for ICE's Boston office, said in an email that "the final order of removal issued by an immigration judge to Lucas Goncalves de Oliveira Andrade, a citizen and national of Brazil, was enforced by ICE Enforcement and Removal Operations with his removal from the United States on August 1, 2018." Mahon said that Andrade, who was arrested by ICE officers in Newburyport in May, "had illegally re-entered the United States after having been previously deported in 2005." Andrade, a 13-year Newburyport resident who is divorced but has shared custody of his 2-year-old son Luca, was arrested by ICE agents on May 8 at his Collins Street apartment, along with a second man who was later released.

Andrade was first deported after coming over the border illegally from Mexico. By returning to the U.S. shortly after his first deportation, Andrade violated a federal requirement that he not return to the country within five years of being deported, according to an ICE spokesman. Since his arrest, Andrade was held in the Plymouth County House of Corrections, which has a contract with ICE to house people awaiting disposition of immigration cases.

[MA] Cambridge man pleads not guilty in Twitter threat vs. ICE agents

[Boston Herald](#) [9/7/2018 8:00 PM, Marie Szaniszlo, MA] reports that a 33-year-old Cambridge man pleaded not guilty yesterday to offering a \$500 bounty on Twitter to anyone who would kill a U.S. Immigration and Customs Enforcement officer. Brandon J. Ziobrowski was arraigned in U.S. District Court in Boston on one count of use of interstate and foreign commerce to transmit a threat to injure another person, a crime punishable by up to a \$250,000 fine, five years in prison and three years of supervised release. On March 1, in response to an ICE field office director's tweet that ICE officers put their "lives on the line to arrest criminal aliens," the indictment said, Ziobrowski tweeted: "Thank you ICE for putting your lives on the line and hopefully dying I guess so there's less of you?" On July 2, prosecutors allege, he tweeted: "I am broke but I will scrounge and literally give \$500 to anyone who kills an ice agent. @me seriously who else can pledge get in on this let's make this work." Two people liked his "murder-for-hire solicitation," the indictment said. Three days later, the Department of Homeland Security's Current and Emerging Threats Center found that tweet, prosecutors said, and a warning was disseminated to federal, state and local law enforcement agencies, including ICE field offices, throughout the country.

[CT] Hundreds rally to support undocumented New Havener

[Yale Daily News](#) [9/9/2018 11:57 PM, Isabel Bysiewicz, 43K, CT] reports for the past 284 days, Nelson Pinos Gonzalez, an undocumented New Haven resident who migrated to the United States from Ecuador two decades ago, has been living in First and Summerfield United Methodist Church to avoid deportation. On Friday, around 400 New Haven community members – dressed in black and carrying signs – gathered at the steps of the

church, calling for a stay of his deportation. Pinos has lived in the U.S. since 1993 and was the sole provider for three children before he took sanctuary. During an Immigration and Customs Enforcement check-in in October 2017, Pinos was asked to return permanently to Ecuador by the end of the month. The Connecticut public affairs officer for ICE could not be reached for comment over the weekend. In a statement to the News last year, ICE said Pinos was issued a final order of removal in 2015 by a federal immigration judge, according to NBC Connecticut. Unidad Latina en Accion member Vanesa Suarez said that the Board of Immigration Appeals – the highest administrative body for enforcing immigration laws – has the power to grant an emergency stay of deportation to Pinos, which would allow him to leave the church and argue his case in court.

[NBC Connecticut](#) [9/7/2018 6:34 PM, Staff, 71K, CT] reports that today immigration officials reaffirmed that there is a removal order against Pinos, who they consider an immigration fugitive. They say that is order is still in effect even though he remains in a "sensitive location."

Reported similarly: [FOX 61](#) [9/7/2018 11:18 PM, Spencer Allan Brooks, CT]

[CT] A deportation stopped with 15 hours to spare

[Socialist Worker](#) [9/10/2018 3:00 AM, Eric Maroney] reports Salma Sikandar had packed a suitcase and was making the final agonizing preparations prior to her forced deportation, scheduled for the morning of August 23. Then came the news, and the tears turned into ones of joy. With just 15 hours before she was supposed to turn herself in, pressure from local organizers, including a hunger strike, pushed Immigration and Customs Enforcement (ICE) to grant her a temporary stay. A coalition of immigrants' rights groups, clergy, labor and left organizations came together in the weeks before Sikandar's scheduled deportation to agitate around her case. The group held a series of rallies, press conferences and petition drives in a coordinated effort to pressure local, state and federal politicians to intervene on Sikandar's behalf. In the days immediately preceding her scheduled deportation, nine hunger strikers camped out in front of the ICE offices in Hartford, Connecticut, to step up the pressure. The campaign succeeded in attracting the support of hundreds of people throughout central Connecticut, as well as several mayors, the state's governor and a congressional representative. Salma Sikandar's deportation case is part of a wave of such cases indiscriminately targeting immigrants, including those who seek asylum. Sikandar first appealed to ICE in 2011 to remain in the United States. At the time, her son Samir, age 11, was diagnosed with severe asthma and required substantial medical treatment. Since then, she has lost multiple appeals and is currently awaiting a ruling from the Board of Immigration Appeals.

[NY] The City Council's perilous rush to slap ICE

[New York Post](#) [9/7/2018 10:01 PM, Editorial Board, 4882K, NY] reports that rushing to jump on the #AbolishICE bandwagon, the City Council is looking to stop the city from doing any business with agencies that enforce federal immigration laws — and never mind, as City Hall belatedly pointed out, that it would make New Yorkers less safe. But the de Blasio administration is refusing to back the bill because it would void two contracts with the Department of Homeland Security — one of them involving monitoring "the air for agents likely to be used in a bioterrorism attack." Bitta Mostofi, the mayor's Immigrant Affairs chief, told the committee that the mayor loves the "goal" of dissing Immigration and Customs

Enforcement. But the contract to use a DHS lab for the city BioWatch program is a matter of public safety.

[MD] Professor's fate: Cleared of murders, convicted for speech

[Washington Post](#) [9/8/2018 11:30 AM, Tim Prudente] reports Catherine Mukantabana did her best after her husband was taken away. She consoled the children, worked as a nurse in Towson and tried to escape the grim allegations that haunted them. This summer came an answer to her prayers. And yet, the phone call brought both comfort and grief. The world would know her husband was no war criminal. But he still wasn't coming home. A Rwandan court ruled Leopold Munyakazi had not taken part in the bloodshed of his country's 1994 genocide. The aging scholar, who taught French at Goucher College, has spent nearly two years in a Rwandan prison on genocide charges. The court found that Munyakazi was not a killer, but a dissident after a controversial talk he gave on a U.S. campus. He was sentenced to nine years in prison, his wife said. "The American government should do something," she said. "They failed to protect him. He was asking for asylum because of his opinion here, but they didn't get it." Munyakazi taught at a university in Rwanda. In July 2004, he flew to a conference on French literature in Atlanta and applied for asylum in the U.S. with his family. He was teaching French at Montclair State University in New Jersey two years later, when he was invited to speak at the University of Delaware.

The speaker series was sponsored by Scholars at Risk, an organization that promotes academic freedom. One month after Munyakazi spoke at Delaware, the Rwandan government issued an international arrest warrant charging him with genocide, conspiracy to commit genocide and denying the genocide. He continued to teach and arrived at Goucher College in the fall of 2008 through the Scholar Rescue Fund, a nonprofit that places persecuted teachers at universities worldwide. In December 2008, an NBC film crew and Rwandan prosecutor arrived on campus to confront Munyakazi about the charges. The footage never aired, but Goucher administrators were left wondering what to do. They suspended Munyakazi while they sorted it out. The next month, U.S. immigration officials began deportation proceedings against him. He had overstayed his visa. His fight to remain in the United States consumed the next seven years. He challenged deportation through immigration court, then appealed to a federal judge.

[NC] Immigration agents are not visiting UNC-Chapel Hill campus, ICE says

[Raleigh News & Observer](#) [9/7/2018 10:07 AM, Camila Molina, 259K, NC] reports that immigration officials are not actively carrying out enforcement at UNC-Chapel Hill, according to a university official and a spokesman for U.S. Immigration and Customs Enforcement. The Office of the Executive Vice Chancellor and Provost sent a memo to deans, directors and department heads in May instructing them to call university police if federal or state agents inquired about a student or faculty or staff member, according to emails obtained by The News & Observer. The nonprofit NC Policy Watch first reported in August that university officials may have sent an email about ICE agents visiting the UNC campus. Bryan Cox, an ICE spokesman for the southern region, cited the "sensitive locations" policy created in 2011 that generally prevents the agency from performing arrests, interviews, searches and surveillance at schools, hospitals and churches. Agents might go to a school in relation to a criminal investigation, Cox said. "I was not aware of any visit and I'm still not aware of any visit to a college campus," he said.

[TN] Knox County ICE detainees spike after ex-sheriff signs new agreement

[Knox News](#) [9/9/2018 7:00 AM, Tyler Whetstone, TN] reports that the number of U.S. Immigration and Customs Enforcement detainees in the Knox County jail increased 300 percent in August over the monthly average as a new, amended county contract with the federal government took effect. The amended contract, or intergovernmental service agreement, also known as an IGSA, pays the county \$67 per ICE detainee per day. The county previously was not paid to hold an ICE detainee. The corresponding spike in ICE holds worries immigrant activists, who see the dollars as a possible motivation for a further crackdown of immigrants. But current and former law enforcement officials said the new agreement is good for the county, will expedite the deportation process for undocumented immigrants and does not fully cover the costs of the detainees. ICE spokesman Bryan Cox said the county's agreement helps make the county a hub for ICE detainees in the region, speeds up processing times and decreases the number of transports for detainees. Instead of a detainee being arrested in another county, taken to an ICE office and then taken to Louisiana to be expelled from the country, the process is simpler, he said. With the county's new IGSA, detainees from across the region can be brought to Knox County, grouped together and held for up to 72 hours and then taken to Louisiana.

[AR] Immigration Crackdown Felt in Arkansas

[Arkansas Business](#) [9/10/2018 12:00 AM, Mark Friedman, 6K, AR] reports North Little Rock attorney Cristina Monterrey has seen what immigration policy under President Donald Trump has meant for her clients in the past year. For over five years, most of her undocumented clients who were placed in removal proceedings in immigration court had some sort of criminal history, said Monterrey, a managing partner at the Monterrey Law Firm whose practice includes immigration law. The administration's policy shifts now include having U.S. Immigration and Customs Enforcement prioritize deportation of all undocumented immigrants. The policy change is a loss for companies that employ workers whose legal status is pending, Monterrey said. While it's typically illegal to hire undocumented workers, "there are situations where a person has a pending application and can get an employment permit while that application is pending," she said.

[GA] Atlanta Mayor Signs Executive Order to Permanently Stop Accepting ICE Detainees at City Jail

[FOX News](#) [9/7/2018 4:45 PM, Staff, 11653K] reports that Atlanta Mayor Keisha Lance Bottoms on Thursday signed an executive order to permanently stop the city jail from receiving people detained by U.S. Immigration and Customs Enforcement. The order also directs the Atlanta City Department of Corrections chief to formally request that ICE officials transfer all current detainees from the Atlanta City Detention Center as soon as possible. A spokesperson for ICE confirmed to the newspaper that all of the agency's detainees at the Atlanta City Detention Center would be transferred by the end of Thursday.

Reported similarly:

[Independent Journal Review](#) [9/8/2018 11:49 AM, Sam Dorman, 117K]

[The Daily Caller](#) [9/7/2018 1:12 PM, Frank Bojazi, 984K, DC]

[Washington Examiner](#) [9/7/2018 10:47 AM, Katelyn Caralle, 535K, DC]

[11 Alive](#) [9/7/2018 7:38 PM, Elwyn Lopez, 87K, GA]

[GA] 'This is Anti-Trump': Homan Hits Back at Atlanta Mayor for Ending Ties with ICE

[FOX News](#) [9/8/2018 1:45 PM, Staff, 11653K] reports that Tom Homan said Saturday on Fox & Friends that the decision by Atlanta Mayor Keisha Lance Bottoms to stop the city's

jail from receiving people detained by Immigration and Customs Enforcement (ICE) is in opposition to the president and his administration. Homan, ICE's former acting director and a Fox News contributor, said that Bottoms was "horrified" by family separations at the U.S.-Mexico border, which led to her decision. "This is anti-Trump, anti-administration," he said. "Her first reason for wanting ICE out of the facility is that she was horrified by the family separation situation on the border. That was a different agency ... she needs to get her agency straight and who to blame for what issue." [Editorial note: consult source link for video]

[FL] Mom Reunited With Children After Being Held By ICE For Weeks

[CBS Miami](#) [9/7/2018 6:22 PM, Lauren Pastrana, 357K, FL] reports a South Florida mother is back with her children after being held in ICE detention for weeks. She says she was trying to pay a ticket for driving without a license in Martin County when she was arrested in July. "I never imagined I would be detained for trying to solve this issue," she said Friday. Roxanna was reunited with her children, two sons and a daughter, recently after almost 2 months in ICE custody. "She was eventually handed over to immigration authorities. She remained detained there for two months," said her attorney Jonathan Urrutia with Legal Aid Service of Broward County. Urrutia says a deportation order for Roxanna was issued back in 2014 because she failed to show up for a hearing because she was giving birth at the time. We've reached out to Immigration and Customs Enforcement. The agency says it cannot comment on this case at this time.

[OH] ACLU demands release of Haitian asylum seeker held in Geauga County jail

[Morning Journal](#) [9/7/2018 12:43 PM, Andrew Cass, 9K, OH] reports that the ACLU is demanding the release of a Haitian asylum seeker who has spent nearly two years in the Geauga County Safety Center. The organization wrote a letter to the federal government stating that it will take "immediate legal action and pursue all available remedies under the law" if the U.S. Immigration and Customs Enforcement office does not release Ansly Damus by 5 p.m. Sept. 10. In March, Damus was named as a plaintiff in a class-action lawsuit filed by the ACLU, Center for Gender and Refugee Studies, Human Rights First, and Covington & Burling LLP, challenging the Trump administration's arbitrary detention of asylum seekers fleeing persecution, torture, or death in their countries of origin. Five ICE field offices are named in the lawsuit, including the Detroit office that covers Ohio.

[MI] Deaf, disabled Detroit immigrant in U.S. for 34 years faces deportation

[Detroit Free Press](#) [9/8/2018 11:13 AM, Niraj Warikoo, 348K, MI] reports that born and raised in Nigeria, Francis Anwana was just 14 years old when he came to the United States on a student visa. He was deaf, couldn't talk, and had cognitive disabilities, enrolling at the Michigan School for the Deaf in Flint. Now 48, Anwana lives in Detroit at an adult foster care facility, helping mow the lawns and mop the floors at a nearby church on Detroit's west side. But in a shock to immigrant advocates, the U.S. now wants to deport Anwana to Nigeria, a country he has not lived since he was a teenager. Given his severe disabilities, it would be a virtual "death sentence" for him, said Susan Reed, an attorney with the Michigan Immigrant Rights Center. Because of his disability, Anwana can only read at a second-grade level and is unable to mentally grasp the fact he could be forced to go back to Nigeria, according to advocates and his lawyer.

On Wednesday, U.S. Immigration and Customs Enforcement told Anwana he would be deported on Tuesday, Sept. 11, according to advocates for Anwana. After the advocates

raised concerns, ICE told them Friday that his deportation has been postponed. Anwana has a meeting with ICE set for Sept. 21. "This removal is not imminent at this time," Khaalid Walls, spokesman for the Michigan and Ohio office of ICE, said Friday.

Reported similarly:

[Michigan Public Radio](#) [9/7/2018 3:49 PM, Maya Goldman, 29K, MI]

[WAND 17](#) [9/9/2018 1:13 PM, Staff, IL]

[MI] Sanilac County murder suspects are illegal immigrants

[NBC 25 News](#) [9/7/2018 7:14 PM, Bria Brown, 8K, MI] reports that U.S. Immigration and Customs Enforcement says the two people charged in killing a 42-year-old Sanilac County woman are illegal immigrants. If they are convicted, ICE official Khaalid H. Walls said the two will serve their time and then be turned over to ICE. They will be back in court Sept. 18 for a preliminary exam. Walls also confirmed 42-year-old Bricia Flores-Rivera was in the county illegally. Her body was found by authorities in Buel Township.

Reported similarly: [ABC 12 WJRT](#) [9/7/2018 11:46 AM, Staff, 19K, MI]

[MI] After 28 years in U.S., Detroit business owner faces deportation

[Detroit Free Press](#) [9/7/2018 5:54 PM, Niraj Warikoo, 348K, MI] reports that according to U.S. immigration officials Banny Doumbia, 52, is undocumented and has several federal felony convictions for theft and bank fraud. On Aug. 3, U.S. Immigration and Customs Enforcement agents detained Doumbia during a check-in and sent him to Monroe County and later Calhoun County jail, saying he will be deported. His detention prompted protests from immigrant advocates who say his sudden detention is another case of undocumented immigrants being targeted after years of being allowed to remain in the U.S. On Wednesday, ICE took him to Detroit Metro Airport to be deported to the Ivory Coast, but he became non-compliant before boarding and so his removal was postponed, said a government official. Doumbia is currently in ICE custody pending deportation. Several protesters gathered Wednesday at the airport, arguing with United Airlines officials at the ticket counter to halt his deportation.

ICE maintains that Doumbia is living illegally in the U.S. and also has criminal convictions. In a statement, the spokesman for the Detroit office of ICE, Khaalid Walls, said: "On Aug. 3, Banny Doumbia was arrested by ICE as a convicted aggravated felon and unlawfully present citizen of the Ivory Coast. He is currently subject to an administrative removal order." ICE says it would have deported him earlier, but it couldn't get proper documents from Ivory Coast. "ICE released him on an order of supervision in January 2004 because the agency was unable to obtain a travel document from his home country to effect his removal," said the ICE statement. ICE said that "Doumbia has multiple federal felony convictions for theft and bank fraud. He will remain in ICE custody pending removal from the U.S."

[IL] Suspect in State Park Place gang shooting told police he was living in country illegally

[Belleville News Democrat](#) [9/7/2018 2:33 PM, Mary Cooley, 31K, IL] reports one of the gang members charged in the shooting of a 17-year-old boy in State Park Place told investigators that he is not a legal resident of the United States. Damian O. Armendariz-Vasquez, 19, told St. Clair County Sheriff's deputies of his status during the investigation. It was not among

the questions the deputies asked in questioning, Capt. Bruce Fleshren said. Armendariz-Vasquez and 18-year-old Ladevon Pence were charged with shooting an unnamed teen on Aug. 5. Police say they incorrectly thought the teen belonged to a rival gang. The teen was shot three times including once in the back and is now permanently paralyzed. "It doesn't affect our prosecution one way or another," Fleshren said of his immigration status. He added that there could be implications after a conviction in the case and the department has contacted Immigration and Customs Enforcement. ICE spokespeople take up to 24 hours to process a media request, a representative said on Friday afternoon. The agency did not immediately respond to a request for comment.

[MN] As deportation wheels grind, Augsburg prof worries, waits

[Minnesota Public Radio](#) [9/10/2018 1:00 AM, Riham Feshir, 11K, MN] reports Mzenga Wanyama's monthly immigration check-ins were mostly low-key affairs: trek to the federal building in Bloomington, sign some paperwork, then head home to his life as an Augsburg University professor. He'd come to the United States from Kenya in 1992 on a student visa to attend college. He and his wife had been allowed to stay at the discretion of Immigration and Customs Enforcement. ICE agents had summoned Wanyama, 60, in March and told him to prepare to leave the country. He hadn't heard from the Board of Immigration Appeals about his request for an emergency stay of removal. Later, the BIA granted him an emergency stay of removal, which means ICE cannot deport him until he receives a final decision. His attorney, Katheryn Wasylik, declined to discuss the case, citing safety concerns. Last week, she said attorneys plan to present new evidence supporting his asylum claim if the Board of Immigration Appeals agrees to take up the case. ICE spokesperson Shawn Neudauer would not comment on why the agency hasn't yet deported Wanyama despite several deadlines and orders to show travel documents. In April, Gov. Mark Dayton wrote to then-acting ICE director Thomas D. Homan urging him to let Wanyama stay. Dayton said the professor has dedicated himself to teaching young minds and that he doesn't have a criminal record.

Reported similarly:

[Daily Nation](#) [9/8/2018 11:30 AM, Chris Wamalwa, Kenya]

[Mwakilishi.com](#) [9/8/2018 11:30 AM, John Wanjohi, Kenya]

[IA] Defense Attorney: Dairy Farm Turned 'Blind Eye' to Illegal Alien Status of Alleged Mollie Tibbetts Killer

[Breitbart](#) [9/7/2018 8:07 PM, John Binder, 2213K] reports that the former defense attorney involved in the murder case of 20-year-old college student Mollie Tibbetts says the dairy farm that employed her alleged killer ignored the suspect's illegal alien status. Defense attorney Allan Richards previously represented 24-year-old illegal alien Cristhian Bahena-Rivera of Mexico, the man prosecutors say murdered Tibbetts in Brooklyn, Iowa and dumped her body in a nearby cornfield. This week, Richards told the Associated Press that Yarrabee Farms, the dairy farm where Bahena-Rivera worked under the "John Budd" alias, turned a "blind eye" to the fact that many of their workers are illegal aliens. As Breitbart News reported on Thursday, the Immigration and Customs Enforcement agency raided Yarrabee Farms but did not provide details as to what their investigation discovered. In a statement to Breitbart News, ICE officials said the agency "didn't have any comment to offer at this time," with no indication as to whether other illegal alien workers were detained and taken into custody.

Reported similarly:

[New York Post](#) [9/7/2018 10:32 AM, Amanda Woods, 4882K, NY]

[Epoch Times](#) [9/8/2018 9:55 AM, Zachary Stieber, 512K, NY]

[TX] Houston Dreamer and former teacher celebrating his release from detention

[KTRK TV](#) [9/7/2018 10:49 PM, Staff, 3K, TX] reports it has been a rollercoaster year for recipients of the Obama administration era DACA, which is stuck in our court system, and no one knows this better than Juan Zepeda. Just like many others across the nation, the 22-year-old was detained last September after his DACA expired. The Trump administration was hoping to end the program by this summer. "(Going there) basically get killed, because that's where I was going to," he said. Just as he was ready to give up, his former fifth grade teacher stepped in. "I kept pushing him a little bit harder," said Alana Kubeczka. For 11 months straight, she was there every step of the way, raising money for his DACA renewal application and getting lawyers to help him seek asylum. Eventually, the well-known organization FIEL and a couple immigration lawyers were able to push for his release and renew his application.

[TX] In East Texas town, a community responds to federal immigration raid

[Longview News-Journal](#) [9/9/2018 4:15 AM, Phil Latham, 17K, TX] reports that last week U.S. Immigration and Customs Enforcement at Load Trail, a Paris-area manufacturing plant, where 160 workers were detained in the raid, leaving about that many families without any income. Several of those detained say they were never asked for the needed documents when they were hired at Load Trail, and some workers said they used fake documents to get hired. "Businesses that knowingly hire illegal aliens create an unfair advantage over their competing businesses," Katrina W. Berger, the special agent in charge of Homeland Security Investigations in Dallas, said in a statement. "In addition, they take jobs away from U.S. citizens and legal residents, and they create an atmosphere poised for exploiting their illegal workforce."

[OK] Oklahoma Family of Illegal Immigrant Feels Railroaded By System

[News 9](#) [9/7/2018 7:25 PM, Aaron Brilbeck, 113K, OK] reports the family of an illegal immigrant who has lived in Oklahoma for the past 10 years, is fighting to keep him here. But they say, the system is failing them. Didier Pineda owns his own home. He works hard to support his family. He is a loving father to his disabled stepson. He always pays his taxes on time and he's never been in trouble with the law. But for more than 70 days, Didier Pineda has been in a detention center in Okmulgee after he was arrested while checking in with ICE. He's lived in Tuttle for 10 years, after being deported once in 2006 when he was 20-years-old. His wife and their immigration attorney were in the courthouse waiting for it to start when they found out it was changed to another time in another courtroom. The hearing was held without Pineda's attorney present.

[WA] Hunger strike at immigrant jail is protected speech, ACLU says

[Crosscut Seattle](#) [9/7/2018 5:20 PM, Lilly Fowler, 26K, WA] reports the American Civil Liberties Union of Washington sent a warning letter on Thursday to authorities after officers at the Northwest Detention Center in Tacoma allegedly threatened to get a court order to force-feed detainees on a hunger strike. "Detainees in ICE custody have the right to engage in protected First Amendment speech, including participation in hunger strikes," reads the letter. "Detainees also have the right to make informed decisions about their own health

care when engaging in hunger strikes." ACLU lawyer Enoka Herat sent the letter to the Northwest Detention Center warden and the U.S. Attorney of the Western District Annette L. Hayes. In a statement, the U.S. Immigration and Customs Enforcement, or ICE, said it "takes the health, safety and welfare of those in our care very seriously and respects the rights of all people to voice their opinion without interference." "ICE does not retaliate in any way against hunger strikers. ICE also explains the negative health effects of not eating to its detainees. Additionally, for their health and safety, ICE closely monitors the food and water intake of those detainees identified as being on a hunger strike."

[NV] Authorities arrest 135 on felony charges in Nevada, other states

[Las Vegas Review Journal](#) [9/8/2018 12:35 AM, Mike Shoro, 250K, NV] reports that a multi-jurisdictional operation from law enforcement agencies led to the arrests of 135 people wanted on felony charges across different states and counties, according to a U.S. Marshals Service release. A combined 21 local, state and federal agencies participated in Operation STAR, which took place from Aug. 20 through Friday, the release said. Law enforcement arrested 135 people and also seized 14 guns and 2 kilograms of narcotics. Several agencies participated in the effort, to include Immigration and Customs Enforcement.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Tuesday, Sept. 11, 2018

Executive Office for Immigration Review

Attorney General Sessions Delivers Remarks to the Largest Class of Immigration Judges in History for the Executive Office for Immigration Review (EOIR)..... 2

Sessions defends U.S. immigration system and enforcement 3

Jeff Sessions: Can't Have 'A Generous Welfare System and Open Borders' 3

Sessions defends 'zero tolerance' border policy, new asylum restrictions.. 4

Sessions says he plans a 50 percent surge in immigration judges 4

Sessions: 50% increase in immigration judges, warns most asylum claims are fraud 5

Sessions: Immigration judges must be efficient with backlog 5

Sessions Tells New Immigration Judges To Speed Up Cases 6

Sessions Urged Immigration Judges To Show Less Sympathy, Setting Off A Firestorm Of Complaints..... 6

Sessions criticizes immigrants' attorneys before immigration judges6

Policy and Legislative News

Accused of MS-13 and other gang ties, separated parents struggle to get their kids back.....7

Family separation policy repeats our dystopian past.....7

How Does the U.S. Asylum Process Work?8

In our opinion: Congress' cold feet have politicized the ICE debate8

[NY] What lies in the heart of an ICE officer?8

[GA] The Little Yellow Sanctuary in the Shadow of ICE.....9

[IL] Separated Immigrant Children Suffered 'Suicidal Thoughts,' Shelter Admits9

[IL] Immigrant children held for months to more than 1 year in Chicago detention facility 10

[TX] Border agents in South Texas saw more migrant families make illegal crossings in August..... 10

[AZ] Sheriff Speaks Out After Arizona County Rejects Federal Grant Over Trump's Immigration Policies 11

[AZ] More Asylum Seekers Arrive at Nogales Port..... 11

Legal News

Legal Groups Call For Immigration Court to be Own System..... 11

Afghan, Iraqi Allies Of US Army Seek To Save Visa Suit..... 11

U.S. Officials Caused Trauma by Separating Immigrant Families, Class Action Says 11

A Pro Bono Asylum Lawyer Responds to the Latest Attack from A.G. Sessions 12

Health secretary wrote 1991 research memo on criminal punishment for juvenile offenders: report 13

[NY] Do Immigrants Get a Fair Day in Court When It's by Video? 13

[NY] Unionized Judges and Public Defenders Demand Due Process for Immigrants..... 14

[VA] Lawsuit Alleges Culpeper County Sheriffs of Violating Immigrants' Civil Rights..... 14

Enforcement News

[MI] Deaf immigrant facing deportation is 'model citizen' with a 'wide smile,' friends say..... 15

[MN] Iraqi refugee challenging 16-month ICE detention without charges, national security allegations..... 15

[TX] 100 Bangladeshi Nationals Apprehended near Texas Border in 3 Weeks 15

[TX] ICE raid leaves Texas families at risk. But the kindness of strangers eases the pain. 16

[MT] In Bitterroot for years, man faces deportation despite 4th Amendment concerns 16

[OR] Separated for 51 Days, a Reunited Migrant Family Starts a New Life in Oregon 17

[CA] Activists rally outside Stockton's ICE facility as Cambodian refugees slated to check in 17

[CA] It's an immigration crisis few know of. And Fresno County might be at the center of it 17

[Canada] Canada Has Only Deported 398 Of Over 32,000 Illegal Border-Crossers 18

Executive Office for Immigration Review

Attorney General Sessions Delivers Remarks to the Largest Class of Immigration Judges in History for the Executive Office for Immigration Review (EOIR)

[United States Department of Justice](#) [9/10/2018 12:00 AM, Staff] reports Attorney General Jeff Sessions's remarks as prepared for delivery, in part: I'm honored and excited to welcome the largest class of immigration judges in history – 44 new immigration judges. Each of you will play a critical role in our legal system, and I have no doubt that you will be up to the task. Counting you, along with our existing judges, we are currently have the most active immigration judges in history. But we won't stop there – we will add even more by the end of this calendar year, with a goal of seeing a 50 percent increase in the number of judges since the beginning of the Trump administration.

Our U.S. Attorneys are prosecuting over 90 percent of those cases referred to us. It's a two to threefold increase – and it has some deterrent effect. This is the "zero tolerance" policy you have heard about. You don't get to enter the border unlawfully, between ports of entry,

and place our CBP officers at risk without consequences. Of course, our goal is not to just prosecute more but to deter and end illegality. To that end we are resolutely committed. If someone is smuggling illegal aliens across our Southwest border, then we will prosecute them. Period.

The [VOA](#) [9/10/2018 1:41 PM, Staff] reports that event took place as the Trump administration struggles to reunite families separated at the border after its "zero tolerance policy" resulted in unprecedented numbers of immigration cases waiting to be heard. The decision to detain children separately as their parents await trial has left about 400 children still separated from their families, according to a court filing — 45 days after a court-mandated deadline for the government to reunite them. There are more than 700,000 immigration cases in the backlog, according to the Transactional Records Access Clearinghouse, a data gathering research organization at Syracuse University.

Reported similarly:

[Legal Reader](#) [9/10/2018 2:05 PM, Ryan J. Farrick]

[KARK](#) [9/10/2018 7:18 AM, Staff, 14K, AR]

Sessions defends U.S. immigration system and enforcement

[Washington Post](#) [9/10/2018 3:02 PM, Staff] reports that Attorney General Jeff Sessions defended the Trump administration's immigration enforcement actions on Sept. 10, and told incoming immigration judges that the U.S. has the most generous immigration system in the world. [Editorial note: consult source link for video]

Reported similarly: [Reuters](#) [9/10/2018 3:37 PM, Staff]

Jeff Sessions: Can't Have 'A Generous Welfare System and Open Borders'

[Breitbart](#) [9/10/2018 6:28 PM, Ian Mason, 2213K] reports that Attorney General Jeff Sessions spoke to 44 new immigration judges, the largest class ever, Monday, at Executive Office of Immigration Review (EOIR) headquarters in Falls Church, Virginia. "You have an obligation to decide cases efficiently and to keep our federal laws functioning effectively, fairly, and consistently," Sessions told the new judges in his prepared remarks.

EOIR's immigration judges, who make all initial determinations as to deportations, asylum, and other everyday functions of INA, are special employees of the Department of Justice. They reach their judgments independently, but are subject to review by the Board of Immigration Appeals and, ultimately, the attorney general. Reform at EOIR has been one of the main priorities of the Sessions Justice Department. Sessions selected EOIR Director James McHenry – who introduced Sessions in Falls Church Monday – to replace Obama era holdovers last May. Beyond simply increasing the numbers of judges, Sessions has sought to rein in immigration lawyers, who have massively expanded the number of migrants claiming asylum by coaching otherwise illegal aliens to speak what Sessions has called "magic words" after being apprehended illegally crossing the U.S. border.

The [Washington Times](#) [9/10/2018 6:53 AM, Stephen Dinan, 602K, DC] reports that Sessions said that doesn't mean short-changing migrants their rights, but it does mean being vigilant against bogus claims. "No great and prosperous nation can have both a generous welfare system and open borders. Such a policy is both radical and dangerous. It must be rejected out of hand," Mr. Sessions said.

Sessions defends 'zero tolerance' border policy, new asylum restrictions

[NBC News](#) [9/10/2018 11:44 AM, Jane C. Timm, 3740K] reports that Attorney General Jeff Sessions defended the Trump administration's "zero tolerance" immigration policy as "perfectly legitimate, moral and decent" during remarks to a new class of immigration judges in Falls Church, Virginia on Monday. "No great and prosperous nation can have both a generous welfare system and great prosperity, and open borders. Such a policy is radical, it's dangerous, it's never been adopted here, or any other major nation that I am aware of, so it must be rejected out of hand, and the American people have done so," Sessions said. His remarks come in amid major pushback to the "zero tolerance" immigration policy introduced at the border – a policy that included separating parents from their children in order to prosecute the parents for illegal entry – earlier this year. Session also told the new judges that Obama-era "incentives" encouraged migrants to abuse the asylum system, and said that his recent move to disqualify applicants who claim gang and domestic violence are a "correct interpretation" of the law.

[The Week Magazine](#) [9/10/2018 5:34 PM, Summer Meza, 461K, NY] reports that Attorney General Jeff Sessions on Monday refused to back down from his claims that "zero tolerance" policies for illegal immigration are the best way to prevent crime and economic exploitation in the U.S., NBC News reports. Speaking to immigration judges in Falls Church, Virginia, Sessions defended the Trump administration's hard-line approach as "perfectly legitimate, moral, and decent." The "zero tolerance" policy that he announced earlier this year was partially dismantled after major blowback to the administration's separation of migrant families.

[NBC Philadelphia](#) [9/10/2018 1:24 PM, Staff, 130K, PA] reports that Sessions said that "incentives" created by the previous presidential administration encouraged migrants to abuse the asylum system. "Asylum was never meant to provide escape from all the problems people face every day around the world," he said.

Sessions says he plans a 50 percent surge in immigration judges

[Politico](#) [9/10/2018 10:06 AM, Hugh T. Ferguson, 3106K] reports that Attorney General Jeff Sessions said that he plans to increase the number of immigration judges by 50 percent by the end of the year as he welcomed a new class of such judges on Monday. "Counting you along with existing judges, we currently have the most active immigration judges in history. This class puts us at the top, but we are not going to stop there," Sessions said in remarks to 44 judges for the Executive Office for Immigration Review. James McHenry, director of EOIR, said the additions of 44 immigration judges and two new supervising judges make for the largest class of judges in the department's history and reiterated the attorney general's pledge, saying the department will "keep hiring until we run out of space or money." The surge comes as the Trump administration is still recovering from the controversy stemming from its short-lived policy of separating families who illegally crossed the border. Trump officials have struggled to reunite families, blowing past court-mandated deadlines for doing so. And last week, the administration said it would forge ahead with a plan to keep detained migrant families together through the course of immigration proceedings.

Reported similarly:

[Free Beacon](#) [9/10/2018 3:13 PM, Charles Fain Lehman, DC]

[Daily Mail](#) [9/10/2018 5:51 PM, Valerie Bauman, UK]

Sessions: 50% increase in immigration judges, warns most asylum claims are fraud
[Washington Examiner](#) [9/10/2018 11:37 AM, Paul Bedard, 535K, DC] reports that embattled Attorney General Jeff Sessions on Monday welcomed new guns to the administration's war on illegal immigration, telling an incoming corps of judges to take a hard line on border-crossers who attempt to get in with false stories of danger back home and demands for asylum. "As we work to restore rule of law in our immigration system, we will send a clear message to the world that the lawless practices of the past are over," he told a new class of 44 immigration judges. "The number of illegal aliens and the number of baseless claims will fall. A virtuous cycle will be created, rather than a vicious cycle of expanding illegality," he added. The 44 are the largest class in history for the immigration courts, official known as the Executive Office for Immigration Review. Sessions and the administration worked with Congress to boost the numbers and the attorney general promised many more to relieve a seriously backlogged system. He said that the system now has more judges than ever. And, he added, "We won't stop there – we will add even more by the end of this calendar year, with a goal of seeing a 50 percent increase in the number of judges since the beginning of the Trump administration."

[CNN](#) [9/10/2018 4:39 PM, Staff] reports that during a speech to welcome a new class of immigration judges, Attorney General Jeff Sessions said judges should always respect the rights of undocumented as well as documented immigrants, but should be wary of unjustified and fake claims. [Editorial note: consult source link for video]

Sessions: Immigration judges must be efficient with backlog

[New York Times](#) [9/10/2018 11:44 AM, Associated Press] reports that Attorney General Jeff Sessions told a group of new immigration judges Monday they have an obligation to decide cases efficiently in a system besieged by ballooning dockets and lengthy backlogs. Speaking to the group of 44 new judges — the largest class of immigration judges in U.S. history — Sessions told them they must keep "our federal laws functioning effectively, fairly, and consistently." The attorney general has pushed for faster rulings in immigration cases and issued directives preventing judges from administratively closing cases, which has reignited a debate about the independence of immigration judges, who work for the Justice Department and are not part of the judicial branch. Earlier this year, the Justice Department sent a memo to immigration judges telling them they would need to clear at least 700 cases a year in order to receive a "satisfactory" rating on their performance evaluations. On Monday, the attorney general also reiterated the Trump administration's plan to increase the number of immigration judges by 50 percent compared to the number of judges when Trump took office last year. James McHenry, the director of the Justice Department's Executive Office for Immigration Review, said the department would "keep hiring until we run out of space or money."

[Courthouse News Service](#) [9/10/2018 1:45 PM, Brandi Buchman] reports that the class of 44 new immigration judges will now be placed at courts around the nation where they will collectively face a backlog of over 730,000 cases, many of which have been languishing for years. "We have a lot to do right now," the attorney general said, adding that the system for seeking asylum in the U.S. has been "abused for years." Sessions told judges lawyers around the U.S. were actively working to subvert the "plain words" of the Immigration and Nationality Act, or INA, and attack its "integrity." Unlike the federal judicial system, U.S. immigration courts are under the purview of the Justice Department and as attorney general, Sessions can intervene on immigration rulings at any time. As head arbiter of the Board of Immigration Appeals, he can review judicial decisions, grant continuances or

render asylum requests moot, if he so chooses.

Reported similarly: [Truthdig](#) [9/10/2018 2:26 PM, Michael Balsamo, 102K, CA]

Sessions Tells New Immigration Judges To Speed Up Cases

[Law360](#) [9/10/2018 6:12 PM, Nicole Narea] reports U.S. Attorney General Jeff Sessions on Monday said he had no regrets about demanding that immigration courts process cases quickly in an address to incoming immigration judges in Falls Church, Virginia. Sessions said that, though immigration judges may be faced with complex cases, they have an obligation to properly manage their dockets and move their proceedings toward a conclusion. He acknowledged that the process of evaluating whether immigrants meet standards for relief in a large volume of cases "present[s] a great challenge," which is why he said he is hiring more judges. In April, the U.S. Department of Justice's Executive Office of Immigration Review informed immigration judges that, starting in October, it will begin considering the quantity of cases they process in their performance evaluations as a means of expediting proceedings. Immigration judges must complete 700 cases annually and remand fewer than 15 percent of cases to have satisfactorily met their job expectations, according to an agency memo. The immigration court backlog currently stands at 700,000 nationwide, according to the Transactional Records Access Clearinghouse at Syracuse University.

Sessions Urged Immigration Judges To Show Less Sympathy, Setting Off A Firestorm Of Complaints

[BuzzFeed](#) [9/10/2018 5:10 PM, Hamed Aleaziz, 11771K] reports that Attorney General Jeff Sessions on Monday cautioned the judges against allowing sympathy for the people appearing before them, which might cause them to make decisions contrary to what the law requires.

"When we depart from the law and create nebulous legal standards out of a sense of sympathy for the personal circumstances of a respondent in our immigration courts, we do violence to the rule of law and constitutional fabric that bind this great nation. Your job is to apply the law – even in tough cases," he said. "The reality is that it is a political statement which does not articulate a legal concept that judges are required to be aware of and follow," said Dana Marks, a spokesperson for the National Association of Immigration Judges and an immigration judge in San Francisco.

Reported similarly:

[Bustle](#) [9/10/2018 7:40 PM, Monica Busch, 3272K]

[Splinter](#) [9/10/2018 7:20 PM, Sophie Weiner]

Sessions criticizes immigrants' attorneys before immigration judges

[CNN](#) [9/10/2018 4:39 PM, Tal Kopan] reports that Attorney General Jeff Sessions told a new group of immigration judges Monday that it is their job to "restore the rule of law" to the immigration system over the contrary efforts of the lawyers who represent immigrants. The remarks at the training of the largest-ever class of new immigration judges implied that the judges were on the same team as the Trump administration, and that immigrants and their attorneys were trying to undermine their efforts. "Good lawyers using all their talents and skills work every day ... like water seeping through an earthen dam to get around the plain words of (immigration law) to advance their clients' interests," Sessions said, adding

the same happens in criminal courts. "And we understand that. Their duty, however, is not to uphold the integrity of the act. That's our duty." Sessions noted that "of course" the system "must always respect the rights of aliens" in the courts. But he also warned the judges of "fake claims."

Reported similarly:

[American Immigration Lawyers Association](#) [9/10/2018 9:17 PM, Staff, 9K]

Policy and Legislative News

Accused of MS-13 and other gang ties, separated parents struggle to get their kids back

[Washington Post](#) [9/10/2018 12:00 PM, Michael E. Miller and Aaron C. Davis, 11614K] reports that in Honduras, Carlos Castillo Estrada couldn't escape MS-13. When Castillo and his 12-year-old son fled to Mexico, he said they were threatened by drug traffickers. So on June 2, the single father and his son walked across a border bridge in Eagle Pass, Tex., and asked for asylum in the United States. Instead, they were among the more than 2,500 families separated under the Trump administration's short-lived "zero tolerance" policy. After public outrage and a class-action lawsuit, a federal judge ordered the government to reunite the families. But the July 26 deadline came and went for Castillo, who had been deported once before following a DUI. Immigration and Customs Enforcement didn't cite the DUI or deportation when he asked why he hadn't been reunited with his son, he said. In fact, they wouldn't tell him anything. Finally, the frantic father turned to a social worker at the shelter where his son was being detained 1,200 miles away. The reason, he recalled her saying, was that ICE thought he was member of the 18th Street gang, MS-13's rival. ICE spokeswoman Adelina Pruneda declined to discuss Castillo's case, citing "ongoing litigation" — an apparent reference to the class-action lawsuit.

For Raquel Cañas Mejia, ICE's claim that the single mother is an MS-13 member was less of a shock than an old nightmare suddenly resurfaced. The 33-year-old had crossed the Rio Grande with her two sons on June 20, the day President Trump announced an end to his family separation policy. They spent 10 days together at a family detention center in Dilley, Tex., where she said her youngest son was given drugs that made the autistic 9-year-old unresponsive. All ICE will say is that on June 30, it received information that Cañas is a "documented MS-13 gang member." ICE spokeswoman Sarah Rodriguez refused to say where the accusation came from other than "an official source" and a "government database."

Reported similarly:

[Los Angeles Times](#) [9/10/2018 8:00 AM, Esmeralda Bermudez, 3575K]

[KGNS](#) [9/10/2018 11:56 AM, Staff, 8K, TX]

Family separation policy repeats our dystopian past

[Houston Chronicle](#) [9/10/2018 6:00 AM, Randall Akee, 149K, TX] reports that just when we thought there couldn't be any more reasons to oppose the administration's "Zero Tolerance" policy toward immigrants seeking asylum across the U.S.-Mexico border, another horror surfaces: the death of an immigrant child who had been held in custody by the U.S. Immigration and Customs Enforcement at an immigration facility in Dilley, Texas. Much has been written about the woeful lack of preparation for this ill-conceived policy, which has

caused irreparable harm to thousands of families through the separation of parents from their children. Now, policymakers must potentially answer for the death of a child. As we grapple with these tragedies, it's on each of us to realize that what we're seeing is history repeating itself. The Trump administration's actions in 2018 aren't all that different from historical actions taken by the United States toward its indigenous peoples over the last 150 years.

How Does the U.S. Asylum Process Work?

[KQED](#) [9/10/2018 8:02 PM, Matthew Green, 194K, CA] reports as large numbers of migrants from Central America have fled to the U.S. in recent years, there's been a lot of talk about the asylum process and how it works in the U.S. Asylum grants are just a tiny part of America's vast and complicated immigration system, but the process is widely misunderstood and mischaracterized, even by the government leaders responsible for managing it. Why is asylum being talked about so much now? Since 2014, a major surge of immigrants, including many unaccompanied children, from Honduras, El Salvador and Guatemala—among the most dangerous countries in the world—have shown up at the U.S.-Mexico border to request asylum. Many are fleeing rampant gang violence and crippling poverty. But the Trump administration has aggressively tried to crackdown on the number of undocumented immigrants entering the country. Administration officials claim that many asylum-seekers are gaming the system by making up stories to find an easy way in. In an effort to make the asylum process more difficult, the administration has instructed immigration officials to reject more claims. They also briefly ordered immigration agents to detain adult applicants and separate them from their children while awaiting asylum hearings. This controversial policy was abruptly ended after a massive public outcry, but many children still remain separated from their parents.

In our opinion: Congress' cold feet have politicized the ICE debate

[Deseret Morning News](#) [9/10/2018 6:00 AM, Editorial Board, 298K, UT] reports that a nationwide movement is afoot to abolish the Immigration and Customs Enforcement agency, or ICE, as a recent Deseret News report revealed. That this is gaining any traction at all is a sign of how Congress has failed miserably in its job to write meaningful immigration reform legislation. This further underscores the wisdom of Nebraska Sen. Ben Sasse's speech at last week's Supreme Court confirmation hearing. He said members of the House and Senate, too worried about re-election, ignore messy political debates and difficult legislating, preferring instead to push those matters to the courts or the executive branch. When it comes to immigration, that inclination has affected lives and families, as well as the economy. ICE and Homeland Security Investigations made 1,952 arrests in 2016, ending in 1,176 indictments and 631 convictions, according to statistics at [ice.gov](#). Also, 435 human trafficking victims received important assistance after being released from the clutches of their captors.

Unfortunately, this kind of work is overshadowed by deportations that often cruelly separate families and ignore legitimate desires on the part of immigrants simply to work and improve living conditions. Congress' stubborn refusal to debate and pass meaningful immigration reform has led to the politicization of ICE, which in turn makes meaningful political solutions more difficult, hurting both those wishing to escape economic and political repression and law enforcement's legitimate aim to secure the borders against criminals.

[NY] What lies in the heart of an ICE officer?

[America Magazine](#) [9/10/2018 1:45 PM, Joe Hoover] reports they asked me to go downtown to ICE and talk them out of deporting someone. Like, just go do that. Walk into the offices of Immigration and Customs Enforcement, unannounced, ask for the supervisor, show him some documents and persuade him not to ship someone out of the United States. And maybe because you are a religious brother clad in black they will listen to you. So I went down to lower Manhattan, federal buildings, green plazas, everyone brusque and municipal. I met with Linda from New Sanctuary Coalition. Our refugee, Maria, fled her home country out of fear for her personal safety, came to the United States and sought asylum status. Maria is not her real name. Maria has lived in the United States, raising two young children, working several jobs, going to church, building up her community, doing the things people do—living, breathing, making more beloved the world around her. And then she was ordered deported. After the deportation order came down, Maria took sanctuary in a church in Manhattan. Traditionally ICE will not enter churches to capture someone. Maria signed a waiver allowing people to appeal her exile. I was the latest to do so. New Sanctuary comes to ICE every day of the week. Mainly Protestants, Muslims and Jews. Mostly they accompany asylum seekers on deferral hearings. The presence of two or three or 30 companions demonstrates to a judge that an undocumented immigrant has a community behind them. Sometimes it helps them win a stay of deportation and another year to strengthen their case for asylum.

[GA] The Little Yellow Sanctuary in the Shadow of ICE

[The Nation](#) [9/10/2018 1:45 PM, Anjali Enjeti] On a muggy Saturday in July, Brandi Rolleigh and Brandi Walton sat talking on the on the sofa of El Refugio, a small yellow sanctuary one mile from Stewart Detention Center in Lumpkin, Georgia. Rolleigh, a 42-year-old Alabaman with blond curls and turquoise sneakers, had just returned from visiting her fiancé, Elvio Lopez-Martinez, who's a detainee at Stewart. Walton, 34, was resting from her five-hour drive from Charlotte, North Carolina. Her gray dress swelled around her middle; she was eight months pregnant with her first child, a girl. Her fiancé, Edwin Yanes, was in the detention center as well. "This is a nightmare you don't wake up from," Walton says. "I never imagined giving birth by myself. He is going to miss our baby being born." They wanted to be married before the baby came, and had planned a small ceremony in two days at Stewart. Getting married at a detention center involves obtaining approvals from the detention center chaplain, the US Immigration and Customs Enforcement (ICE), and finally, the warden at Stewart. Walton completed the several weeks-long process at the end of June and was now counting the days until the ceremony.

[IL] Separated Immigrant Children Suffered 'Suicidal Thoughts,' Shelter Admits

[Newsweek](#) [9/10/2018 10:15 AM, Chantal Da Silva, NY] reports confidential documents obtained by ProPublica Illinois told a chilling story of the mental and physical health of immigrant children held in federal custody in the Chicago area, with some having had suicidal thoughts during their detention. The documents covered nine federally funded Heartland Human Care Services youth immigration shelters over a span of several years, including recent months in which about 2,500 children were forcibly separated from their parents at the U.S.-Mexico border. In one document, a 16-year-old from Guatemala who was detained for at least 584 days described wanting to "quitarme la vida," or "take my life away" as he waited to be released. In another case, a 10-month-old boy who had been forcibly separated from his father at the border in March and had been held in detention for five months had been bitten repeatedly by an older child and was later hospitalized after falling from a high chair. In a statement to ProPublica, officials at Heartland, which is part of

a larger nonprofit organization called Heartland Alliance, acknowledged that children held in custody "don't want to be with us at all—they just want to go home.

One trend ProPublica noticed was that the longer children had been detained, the more they appeared to struggle, based on what children had said and what had been written about their experiences. That revelation came as the Trump administration announced plans to withdraw from the Flores Settlement Agreement, which placed strict limits on the conditions under which immigration authorities could detain children, including rules curbing how long children could be detained. The Departments of Homeland Security and Health and Human Services said that the administration was planning to issue new regulations that would replace the Flores agreement. Under those proposed regulations, immigration officials would be allowed to keep children and their parents together in custody for the entire length of their court proceedings, which could mean months in detention.

[IL] Immigrant children held for months to more than 1 year in Chicago detention facility

[ThinkProgress](#) [9/10/2018 3:50 PM, Rebekah Entralgo, DC] reports that at least 99 immigrant children separated from their families and sent to detention facilities in Chicago are dealing with the long-term consequences of the Trump administration's "zero-tolerance" policy, according to a recent investigative report by ProPublica. The report, which cites a number of confidential records from Illinois shelters run by the federally contracted Heartland Human Care Services, details how dozens of children were brought to the shelters after being forcibly removed from their families at the border.

[TX] Border agents in South Texas saw more migrant families make illegal crossings in August

[Washington Post](#) [9/10/2018 6:59 PM, Nick Miroff, 11614K] reports the number of Central American families arrested for entering the United States illegally surged again in August, according to a Trump administration official and Border Patrol agents in South Texas, an increase that comes as the president threatens a government shutdown to extract funding from Congress for a border wall. U.S. Customs and Border Protection is expected to publish the most recent border arrest totals this week, and the numbers will be used to gauge the effect of President Trump's order halting the separation of migrant parents from their children. Agents working in the Rio Grande Valley, the nation's busiest corridor for illegal crossings, say they've seen more families turn themselves in and ask for asylum in recent weeks, a potential indication that the policy reversal has encouraged more Central Americans to head north.

The Department of Homeland Security and the Department of Health and Human Services gave official notice last week that they are seeking to overhaul court-imposed limitations on their ability to keep children in immigration jails. That would allow the government to hold families while their asylum claims are adjudicated, a change the administration says is necessary to make sure those asylum seekers can't make frivolous claims to avoid deportation. "Because of restrictive judicial orders and catch and release loopholes that leave us with no recourse for removal we are seeing a record number of family units apprehended at the Southwest border," Katie Waldman, a spokeswoman for DHS, said in a statement. "Secretary Nielsen has been urging Congress to act and close these loopholes that pull family units to the United States," she said.

[AZ] Sheriff Speaks Out After Arizona County Rejects Federal Grant Over Trump's Immigration Policies

[The Daily Caller](#) [9/10/2018 6:45 PM, Will Racke, 984K] reports Pima County Sheriff Mark Napier has the unenviable task of managing public safety throughout more than 9,000 square miles of rugged desert, but county lawmakers may have made his job even harder. A majority of the Pima County Board of Supervisors voted Tuesday to reject \$1.4 million in funding from Operation Stonegarden, a federal grant program aimed at boosting cooperation between the federal government and local law enforcement on border security issues. In Pima County -- Arizona's largest by land area and second-largest by population -- the Stonegarden grants have long been used to cover overtime pay and equipment replacement for sheriff's deputies. Activists have tied the grants to President Donald Trump's immigration agenda, accusing Pima County of supporting controversial federal policies like the separation of illegal immigrant families because of its participation in Operation Stonegarden. Napier says the grant money isn't put toward immigration enforcement in any way, but rather conventional public safety services in areas that would be impossible to cover without federal funding.

[AZ] More Asylum Seekers Arrive at Nogales Port

[Arizona Public Media](#) [9/10/2018 1:45 PM, Kassandra Lau, AZ] This month, dozens of people have arrived at the ports of entry in Nogales to request asylum. Customs and Border Protection says the agency's current policy is to keep families together while at the ports "to the extent that is operationally feasible." Lorraine Rivera met asylum seekers in Nogales, Sonora, waiting to be processed. [Editorial note: consult source link for video]

Legal News

Legal Groups Call For Immigration Court to be Own System

[Fronteras Desk](#) [9/10/2018 6:58 PM, Michel Marizco, 1K, AZ] reports Attorney General Jeff Sessions was speaking to a group of 44 newly hired immigration judges when he said they needed to "restore the rule of law." He derided immigration lawyers, saying they were working to skirt immigration laws. "The tone and the content of the attorney general's remarks really underscored once again the importance of needing to move the immigration courts from under the Department of Justice, which is a prosecutorial agency," said Ashley Tabaddor, president of the National Association of Immigration Justices. The union and other national legal organizations have been arguing to the senate that the court should be in its own system, like bankruptcy courts.

Afghan, Iraqi Allies Of US Army Seek To Save Visa Suit

[Law 360](#) [9/10/2018 3:37 PM, Suzanne Monyak] reports a group of Iraqi and Afghan citizens who assisted the U.S. military urged a D.C. federal court Friday to preserve their proposed class action accusing the federal government of taking too long to grant them the special immigrant visas meant to keep them safe. Attorneys with the International Refugee Assistance Project and Freshfields Bruckhaus Deringer US LLP argued on behalf of the five individuals that all of them have standing to challenge the speed at which the United States has reviewed their visa petitions

U.S. Officials Caused Trauma by Separating Immigrant Families, Class Action Says

[Top Class Actions](#) [9/10/2018 1:00 PM, Christina Davis] reports that the separated children class action lawsuit is attempting to hold Trump administrators responsible for the trauma experienced by more than 2,500 children and their families when the so-called "zero-tolerance" policy was implemented along the southern border of the United States. The lawsuit, filed on behalf of the children, alleges that many of the immigrants affected were seeking asylum and not attempting to enter the country illegally. Trump administrators named in their personal capacity in the separated children class action lawsuit include Attorney General Jeff Sessions, White House Chief of Staff John Kelly, U.S. Customs and Border Protection Commissioner Kevin K. McAleenan and the current and preceding director of U.S. Immigration and Customs Enforcement.

A Pro Bono Asylum Lawyer Responds to the Latest Attack from A.G. Sessions

[LexisNexis Legal Newsroom](#) [9/10/2018 9:23 AM, Sophia Genovese] reports U.S. asylum law is nuanced, at times contradictory, and ever-changing. Attorneys constantly grapple with the ins and outs of asylum law, especially in light of recent, dramatic changes to asylum adjudication. Even with legal representation, the chances of being granted asylum are slim. In FY 2017, only 45% asylum-seekers who had an attorney were ultimately granted asylum. Imagine, then, an asylum-seeker fleeing persecution, suffering from severe trauma, and arriving in a foreign land where he or she suddenly has to become a legal expert in order to avoid being sent back to certain death. For most, this is nearly impossible, where in FY 2017, only 10% of those unrepresented successfully obtained asylum. Access to legal representation is critical for asylum-seekers. However, most asylum-seekers, especially those in detention, go largely unrepresented in their asylum proceedings, where only 15% of all detained immigrants have access to an attorney. For those detained in remote areas, that percentage is even lower. Given this inequity, I felt compelled to travel to a remote detention facility in Folkston, GA and provide pro bono legal assistance to detained asylum-seekers in their bond and parole proceedings. Our program was organized and led by the Southern Poverty Law Center's Southeast Immigrant Freedom Initiative (SIFI). SIFI currently only represents detained asylum-seekers in their bond and parole proceedings in order to assist as many folks as possible in obtaining release.

Folkston is extremely remote. It is about 50 miles northwest of Jacksonville, FL, and nearly 300 miles from Atlanta, GA, where the cases from the Folkston ICE Processing Center are heard. Instead of transporting detained asylum-seekers and migrants to their hearings at the Atlanta Immigration Court, Immigration Judges (IJs) appear via teleconference. Even with the tireless efforts of the Staff Attorneys and volunteers at SIFI, there are simply too few attorneys to help every detainee at the Folkston ICE Processing Center, which houses almost 900 immigrants at any given time, leaving hundreds stranded to navigate the confusing waters of immigration court alone. Despite the Attorney General's most recent comments that lawyers are not following the letter of the law when advocating on behalf of asylum-seekers, it is clear that it is the IJs, whom are tasked with fairly applying the law, and DHS officials, tasked with enforcing the law, are the ones seeking to circumvent the Immigration and Nationality Act (INA). Throughout the Trump era, immigration attorneys have faithfully upheld asylum law and have had to hold the government accountable in its failure to apply the law fairly. Good lawyers, using all of their talents and skill, work every day to vindicate the rights of their clients pursuant to the INA, contrary to Sessions' assertions.

Health secretary wrote 1991 research memo on criminal punishment for juvenile offenders: report

[The Hill](#) [9/10/2018 10:48 AM, Jessie Hellmann] reports President Trump's health secretary once wrote that juvenile offenders need punishment in criminal court rather than treatment, according to a memo obtained by The Guardian. Health and Human Services Secretary Alex Azar wrote the memo in 1991 for a senior attorney while a research associate at a private firm. "Special juvenile courts were created in late 19th century with [the] idea that [a] juvenile was a salvageable human who needed treatment rather than punishment in criminal court," Azar wrote, citing a report, according to The Guardian. "We see today that that is not the case." Azar wrote the memo for Richard Willard, a conservative lawyer who once worked in the Reagan administration. The memo supported more privately-run prisons to handle overcrowding, according to The Guardian. An HHS spokesperson told The Guardian the memo says nothing about Azar's "personal opinions or views."

"This is a ridiculous insinuation even by the standards of the Guardian," said Caitlin Oakley. "He was a summer associate; he was tasked with research for someone else's project for someone else's purposes." Oakley further elaborated in a statement to The Hill: "The very headline and subtitle of this Guardian story are categorically false. Secretary Azar did not 'argue' anything or 'reject any notion,' he researched this topic at the instruction of a senior partner more than 27 years ago." She also criticized the article's comparison between the memo and the administration's short-lived changes to the Unaccompanied Alien Children program, which resulted in the separation of hundreds of migrant children and families. "The Guardian's attempt to connect a decades-old summer research assignment to the Unaccompanied Alien Children (UAC) program is farcical. The mission of the UAC program is based on child welfare best practices and HHS is required by law to release UAC to appropriate sponsors as expeditiously as possible while maintaining important child welfare standards," Oakley said.

[NY] Do Immigrants Get a Fair Day in Court When It's by Video?

[WNYC](#) [9/11/2018 4:00 AM, Beth Fertig, 122K, NY] reports on a muggy August morning, Angel Luis Bonilla and some friends were in a waiting room at 201 Varick Street. The federal office building in Lower Manhattan is where immigrants in detention are normally taken for court hearings. Bonilla and his buddies had come to support their friend Enrique, a 35-year-old undocumented immigrant from Mexico who was arrested in early June. He was picked up by Immigration and Customs Enforcement (ICE) officers when they came to his Brooklyn apartment to nab one of his roommates and wound up arresting him, too, after questioning him about his status. Enrique was sent to ICE's detention center in Hudson County, New Jersey. His friends had come to the Manhattan courtroom for his bond hearing. But Enrique didn't appear in person. Instead, he appeared on a video screen from Hudson, seven miles away, wearing his orange uniform. The judge granted bond to Enrique despite the government's argument that he was a danger to the community because of 2010 violation for driving under the influence. But immigration lawyers are still worried that the remote aspect of video could have a negative impact on their clients' cases.

Hearings for immigrants in detention were always held in person at Varick Street. But in late June, after an especially large protest outside the building against the Trump Administration's immigration policies, ICE stopped transferring the detainees and switched to video teleconferencing. Spokesman Khaalid Walls said certain groups were spreading misinformation and advocating violence against ICE employees, adding, "This decision was made in order to ensure the safety of ICE employees, the court, the public and the

detainees." The Executive Office for Immigration Review (EOIR), which runs the immigration courts, described video teleconferencing on its website in 2009 as a way to save travel time for judges, allowing them to hear more cases. Ashley Tabaddor, president of the National Association of Immigration Judges, said her union believes the Trump Administration is relying more heavily on video now to expedite cases at the border. "It's all about trying to push numbers," she said, adding that the DOJ also wants judges to meet quotas for case completions. "As my colleague calls it, assembly line justice."

[NY] Unionized Judges and Public Defenders Demand Due Process for Immigrants
[Labor Notes](#) [9/10/2018 3:37 PM, Lea Ramirez and Lupita Romero] reports why have New York City public defenders been walking out of the courts in the middle of the day to hold spirited demonstrations in support of their clients? The outcry began last November when Immigration and Customs Enforcement agents were reported to lurk in the vicinity of the courts, targeting people as they entered or exited court proceedings. Legal Aid client Genaro Rojas Hernandez was meeting with his lawyer in Brooklyn when ICE agents grabbed him. The arrest sparked an impromptu walkout by dozens of Legal Aid Society's public defenders, members of Auto Workers (UAW) Local 2325, to demand that the state agency that runs the courts must stop cooperating with ICE. Legal and immigrant rights advocates have continued the fight ever since. Two hundred lawyers and allies rallied in March, insisting that ICE presence in public courts can intimidate and prevent New Yorkers from showing up to proceedings and thus interfere with equal access to adequate representation.

Meanwhile another union, the National Association of Immigration Judges, has openly criticized the Department of Justice under Attorney General Jeff Sessions for interfering with the independence of the courts. The union is bringing a grievance after Philadelphia-based immigration judge Steven A. Morley was removed from a case because he had not followed the administration's preferred method of a quick deportation order.

This incident highlights how the Trump administration is targeting judges who do not follow the agenda of rapid deportations. The implications of this grievance are vast—its resolution would affect judicial independence throughout the entire immigration court system.

[VA] Lawsuit Alleges Culpeper County Sheriffs of Violating Immigrants' Civil Rights
[NBC29](#) [9/10/2018 12:22 PM, Staff, 22K, VA] reports that a Virginia resident has filed a class-action civil rights lawsuit against Culpeper County Sheriff Scott Jenkins for his unlawful practice of holding immigrants in jail past their release dates. The lawsuit, brought by the Legal Aid Justice Center and Victor M. Glasberg and Associates, challenges the Sheriff's policy of honoring "immigration detainers," which are requests from U.S. Immigration Customs and Enforcement to hold individuals in local custody past the time they are ordered released by a state judge. Unlike criminal warrants, immigration detainers are not signed by a judge and do not authorize a local jail to continue to incarcerate an individual. Courts across the country have found that holding immigrants on ICE detainers violates their constitutional rights.

Enforcement News

[MI] Deaf immigrant facing deportation is 'model citizen' with a 'wide smile,' friends say

[Merced Sun-Star](#) [9/10/2018 9:23 AM, Josh Magness, 15K, CA] reports that since coming to the U.S. on a student visa as a teen, Francis Anwana has called this country home for 35 years. Now Anwana – who is deaf, cognitively impaired and lives in an adult foster care facility – could soon be deported back to Nigeria, according to The Detroit Free Press. He was originally slated for a Sept. 11 deportation by the U.S. Immigration and Customs Enforcement, the newspaper wrote, but now has a Sept. 21 meeting with the law enforcement agency as his deportation is postponed. For those who know Anwana, deportation "would result in his death," according to a website created by advocates for the man. Khaalid Walls, spokesman for the Michigan and Ohio office of ICE, said that "this removal is not imminent at this time."

[MN] Iraqi refugee challenging 16-month ICE detention without charges, national security allegations

[Minneapolis Star Tribune](#) [9/10/2018 6:51 PM, Stephen Montemayor, 524K, MN] reports a former member of an elite Iraqi military force who came to Minnesota as a refugee is trying to win release 16 months after being detained by federal immigration authorities who say he concealed his past as he sought protection in the U.S. Farass Adnan Ali, 34, of Rochester, has been held in Sherburne County jail since a May 2017 arrest that has touched off deportation proceedings that have intersected with an FBI counterterrorism probe. According to court papers, Ali's arrest also came one day after he allegedly lied to two FBI agents about his social media activity. According to a federal search warrant application filed by an FBI agent last year, that activity included posting images of a caravan of Islamic State of Iraq and Syria militants entering a Libyan city in 2015 and a photo of Ali posing in a sporting goods store alongside firearms for sale. It is unclear what first put Ali on the FBI's radar, and no criminal charges have been made public since his arrest. Local officials representing the FBI, Immigration and Customs Enforcement and the U.S. attorney's office each declined to comment on Ali's case. On Friday, attorneys for the American Civil Liberties Union in Minnesota filed a federal petition for a writ of habeas corpus challenging Ali's "unreasonable, prolonged" pre-deportation detention. They argued that Minnesota's federal judges have ordered the release of at least four other immigrants this year who were "subject to mandatory detention when their pre-removal detention period has gone beyond any legitimate government reason to detain."

[TX] 100 Bangladeshi Nationals Apprehended near Texas Border in 3 Weeks

[Breitbart](#) [9/10/2018 1:42 PM, Bob Price, 2213K, TX] reports that Laredo Sector Border Patrol agents continue to lead the nation in the apprehension of Bangladeshi nationals who illegally cross the border from Mexico into Texas. More than 100 were arrested in the past three weeks — totaling 622 this fiscal year. On September 7, Laredo Sector agents apprehended a group of five illegal immigrants who crossed the Rio Grande River border with Mexico into the Santa Rita subdivision. The agents interviewed the group and learned that they came to the U.S. from Bangladesh, according to Laredo Sector Border Patrol officials.

[TX] ICE raid leaves Texas families at risk. But the kindness of strangers eases the pain.

[Star-Telegram](#) [9/10/2018 6:00 AM, Mitch Mitchell, 192K, TX] reports that all of the sudden in the middle of the workday on Aug. 28, men with guns appeared and helicopters were flying over the Load Trail manufacturing plant in the northeast Texas town of Sumner. "They put me in handcuffs and treated me like a criminal," former Load Trail employee Jose Luis Montoya said through an interpreter. Initially, Montoya said he believed the federal officials were there to arrest some dangerous hoodlum, but it soon dawned on him that they were there to arrest almost everyone. U.S. Immigration and Customs Enforcement officials that day raided Load Trail, which makes vehicle trailers, for allegedly hiring undocumented immigrants. Montoya, 35, of Paris, Texas, was detained for more than a week before his family could raise the \$5,000 it would take to get him released on Thursday, his wife, Cecelia Lopez, said. Montoya said he had been worried about his 3-year-old, who needs weekly chemotherapy treatments for acute lymphocytic leukemia. Fortunately for Montoya and his family, people from their church and others quickly rallied to help. And many of the volunteers and advocates for the 159 undocumented immigrants who were detained came from Fort Worth. They arrived to Paris with a truckload of food and other donated items.

Federal officials accused Load Trail workers of using fraudulent identification documents to get their jobs, ICE stated in a news release. Of the 159 taken into custody, five were processed at the location and released because they were deemed to be sole caregivers to children, according to federal government officials. The five individuals were given notices to appear in front of federal authorities. According to the Department of Homeland Security, one individual who was detained voluntarily returned to Mexico, an additional 98 posted immigration bonds and 55 were in ICE custody. Relatives from many of those families ended up seeking help from RAICES, a group that provides low cost legal help to immigrant families, advocates in Paris said.

[MT] In Bitterroot for years, man faces deportation despite 4th Amendment concerns

[Helena Independent](#) [9/10/2018 8:45 PM, Seaborn Larson, 23K, MT] reports a Mexican national living nearly a decade in the Bitterroot Valley will likely be deported after he was sentenced Monday in federal court in Missoula for illegal re-entry into the United States despite allegations by his family and attorney that he was apprehended unlawfully. Roberto Cruz Cisneros, 45, was sentenced to time served, about five months in custody, and released to the federal officials to begin the deportation process, splitting him from his family, who watched from the courtroom gallery in tears. Immigration attorneys say defending these cases is difficult, in large part because of the Fourth Amendment of the U.S. Constitution, which protects citizens from illegal search and seizure, does not provide protections to a suspect's identity in the same way it does for physical evidence.

Shahid Haque, an immigration attorney in Helena who represents Cisneros and his family in his upcoming deportation proceedings, told the Missoulian in an email Monday that police stopped Cisneros' vehicle in February as he was headed to his home in Hamilton for "No discernible reason." The officer did not indicate to Cisneros that he had violated any laws, but took his identification, asked him where he lived and let him go. A month later, Immigration and Customs Enforcement and Hamilton police showed up at his home to arrest him on the charge of illegal re-entry after an order of deportation, Haque said. In the federal complaint, an ICE agent from Kalispell reported Cisneros was deported twice before: from Utah in 1996 and again in 1999, after serving a 14-month federal prison sentence following an illegal re-entry conviction in Arizona. The agent's report mentions the

police stop in February, but does not identify any reason why Cisneros' vehicle was stopped. In that stop, Cisneros reportedly produced an identification from Mexico. The police officer then provided Cisneros' information to Homeland Security Investigation agents in Kalispell.

[OR] Separated for 51 Days, a Reunited Migrant Family Starts a New Life in Oregon
[New York Times](#) [9/10/2018 11:07 AM, Miriam Jordan, 25617K] reports that it was the first day of school, and the fifth-grade teacher invited her students, seated in a circle on the floor, to swap summer stories in English or Spanish. One described a family trip to Spain. Another recounted a fun day at the movies. When it was his turn, José Miranda Taracena took a pass. The 11-year-old Guatemalan boy with ink-black eyes and a coy smile had spent most of his summer in a foster home in New York with his 7-year-old sister, Mayda, after immigration authorities arrested their mother near the Mexican border for entering the United States without authorization. Now the family was back together, but he was not ready to tell his new American classmates about a summer dominated by those 51 days.

José, Mayda and their mother, Lillian Taracena, are trying to make a fresh start in this small town in southern Oregon. The siblings started classes last week at Talent Elementary School. Ms. Taracena spends her days getting settled into the small trailer they're now sharing with her cousin, making the required check-ins with Immigration and Customs Enforcement and consultations with lawyers. An estimated 3,000 families were swept up at the border during May and June in a "zero-tolerance" immigration enforcement campaign that jailed parents and warehoused their children hundreds or thousands of miles apart. After an international outcry, President Trump issued an order on June 20 to end family separations. Since then, all but about 400 children have been reunited with their relatives, and families like the Taracenas are taking their first steps to build tentative new lives — even though what lies ahead is far from clear.

[CA] Activists rally outside Stockton's ICE facility as Cambodian refugees slated to check in

[Recordnet](#) [9/10/2018 6:52 PM, Almendra Carpizo, 23K, CA] reports a group of activists rallied outside an Immigration and Customs Enforcement center in Stockton as at least six Cambodian refugees were scheduled to check in with immigration officials. California Immigrant Youth Justice Alliance, Interfaith Movement for Human Integrity, Empowering Marginalized Asian Communities, and other local activists, faith and community groups gathered outside the doors of the ICE facility at 603 San Juan Ave. to denounce the agency and deportations, and to make sure that immigrants who met with officials were not detained. Sandy Valenciano said people who are reporting to ICE for check-ins are at high risk of being detained on the spot and ultimately deported. More than 200 Cambodian and Vietnamese immigrants living in the U.S. were detained by immigration agents in October 2017, a crackdown that advocates say was the largest raid to ever affect the Southeast Asian community. ICE alleged that many of the people who were targeted for deportation were people with criminal records.

[CA] It's an immigration crisis few know of. And Fresno County might be at the center of it

[San Luis Obispo Tribune](#) [9/8/2018 4:44 PM, Yesenia Amaro, 91K, CA] reports that thousands of immigrants in the Fresno region and nation could face deportation to a country that's rarely discussed in the daily news cycle, and in some respects has been forgotten.

Many Laotians and Lao Hmong refugees in the Fresno area and their relatives still live in immigration limbo in the aftermath of the Vietnam War and the so-called "Secret War" in Southeast Asia. Brendan Raedy, a spokesman for Immigration and Customs Enforcement, said as of August there were 4,614 non-detained Laotians across the country with a final order for deportation, of which 3,987 had been convicted of a crime.

[Canada] Canada Has Only Deported 398 Of Over 32,000 Illegal Border-Crossers

[The Daily Caller](#) [9/10/2018 11:12 AM, David Krayden, 984K, DC] reports that Canada has only deported 398 of the more than 32,000 illegal migrants who have crossed the Canadian border from the U.S. since April 2017 until the end of August 2018. According to documentation provided to the Toronto Star from the Canadian Border Services Agency, the majority of those rejected were sent back to the United States. Of those deported, Canada sent 146 back to the United States: 116 of these are U.S. citizens. Others returned to Haiti, Columbia, Turkey and Iraq. In total, 48 of the deportees were under the age of 17.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Wednesday, Sept. 12, 2018

Executive Office for Immigration Review

Attorney General Acts on Promise to Hire More Immigration Judges.....	2
Immigration judges hit back at Sessions for suggesting they show too much sympathy.....	3
Immigration Dysfunction: Can Jeff Sessions Restore the Rule of Law in America?.....	4
Statement of ABA President Bob Carlson Re: Immigration lawyers and judges	4

Policy and Legislative News

Locking up more immigrant kids for longer is both inhumane and unnecessary	5
DHS Data: Only 1.4 Percent of 2017 'Family Unit' Migrants Sent Home by Mid-2018	5
More than 400 undocumented immigrant children remain in government care	5
More than 400 kids remain separated from their parents. Here's one lawyer's long shot plan to reunite a family	6

Some Parents of Illegal Immigrant Children Don't Want Their Kids Sent Home	6
Authorities Can Now Deny Visa and Green Card Applications Without Giving Applicants a Chance to Fix Errors.....	7
She Escaped Domestic Abuse And Is Seeking Asylum. Now A Policy Change Makes Her Future Uncertain	7
For Years, the U.S. Failed to Protect Thousands Who Risked Everything in Iraq and Afghanistan	7
Illegal immigrants cited in theft of 39 million Social Security numbers	8
Zero Tolerance, Infinite Problems	8
Best Practices for Managing U.S. Immigration Compliance in 2018 (Part 1 of 5)	9
[NJ] New Jersey County Jail to Consider Ending ICE Contract	9
[FL] Martin immigration case shows family separation doesn't just happen at the border	9
[TX] Trump administration to triple size of Texas tent camp for migrant children	10

[AZ] BU Works to Reunite Immigrant Families..... 11

[CA] As emotions run high, Tustin city council approves stance against state's 'sanctuary law' 11

Legal News

Here's A Statistic You Won't Hear From Trump: Over 90% Of Families Seeking Asylum Show Up For Their Court Hearings..... 12

BIA Clarifies Obstruction Of Justice In Deportation Case 12

Gov't Decries Pick To Monitor Facilities For Immigrant Kids 13

Immigration Attys Highlight Concerns With EB-5 Reforms..... 13

Immigration Bill Roundup: House OKs 'Crime Of Violence' List 14

[VA] Deported Before His Case Was Closed..... 14

[VA] Va. man files class action suit against Culpeper Co. sheriff over ICE holds..... 15

[VA] Were Immigrant Teenagers Strapped to Chairs with Bags Over Their Heads? 15

[OH] ACLU asks federal judge to release Haitian asylum seeker jailed for 2 years in Chardon 16

[AK] ACLU-Alaska announces settlement in immigration detention..... 16

Enforcement News

Massive Immigration Department Crackdown Leads to Hundreds of Arrests, Nabs 6 Indian Americans..... 16

ICE Should Focus on Employers of Illegal Aliens Who Commit Significant Crimes 17

Border Patrol and ICE Agents Face Increasingly Violent Illegal Immigrants 17

[MA] Judge halts deportation of Dover Indonesian woman 17

[AL] ICE arrest of approximately 30 illegal immigrants in N. Alabama sparks conversation 17

[FL] He's here illegally and was accused of child rape in 2013. Neither is why he's in jail..... 18

[KS] 5 men indicted in Kansas on illegal immigration charges 18

[OR] Man accused in fatal DUI back to jail following ICE arrest 18

[MI] ICE: Deaf Detroit immigrant from Nigeria must leave..... 19

[TX] Deportations of Undocumented Immigrants Without Criminal Convictions Up 140 Percent in Houston Area..... 19

[TX] After An Immigration Raid, A Church Provides Comfort And Help For Families In Paris, Texas 20

[NV] 135 suspects arrested throughout Nevada for numerous felony charges .20

[CA] Iraqi man seeks release after long immigration detainment 20

Executive Office for Immigration Review

Attorney General Acts on Promise to Hire More Immigration Judges

[Government Executive](#) [9/11/2018 10:37 AM, Charles S. Clark, 55K] reports that Attorney General Jeff Sessions on Monday drew a sharp contrast between the Trump administration's approach to illegal immigration and those of its predecessors during a ceremony to swear in 44 new immigration judges. "As we work to restore rule of law in our immigration system, we will send a clear message to the world that the lawless practices of

the past are over," Sessions told a gathering at the Executive Office for Immigration Review in Falls Church, Va. "The world will know what our rules are, and great numbers will no longer undertake this dangerous journey." Sessions said his department now has "the most active immigration judges in history," and named a goal of a 50 percent increase in sitting immigration judges since President Trump's inauguration. There were 289 judges at the end of fiscal 2016 just before the start of the Trump administration, according to the Government Accountability Office. There are now 397, including the 44 sworn in, the Justice Department said.

[Al Dia](#) [9/11/2018 11:59 AM, 5K] reports that the director of the EOIR, James McHenry promised that "we will keep hiring until we run out of space or money." In April, the attorney general announced new directives to "expedite the treatment of cases" of immigrants, trying to accelerate deportation processes and decongest the immense number of cases that are frozen in the courts.

Reported similarly: [The Crime Report](#) [9/11/2018 4:46 AM, Staff]

Immigration judges hit back at Sessions for suggesting they show too much sympathy

[The Hill](#) [9/11/2018 9:48 AM, Tal Axelrod, 3846K] reports that a union representing the country's 350 immigration judges slammed Attorney General for comments he made that suggested they were sidestepping the law and showing too much sympathy when handling certain cases. "When we depart from the law and create nebulous legal standards out of a sense of sympathy for the personal circumstances of a respondent in our immigration courts, we do violence to the rule of law and constitutional fabric that bind this great nation," Sessions said Monday in a speech to newly hired judges. "Your job is to apply the law – even in tough cases." Immigration judges, who work for the Department of Justice and are expected to follow guidelines laid out by the attorney general, said they believe Sessions was politicizing migrant cases. "The reality is that it is a political statement which does not articulate a legal concept that judges are required to be aware of and follow," Dana Marks, a spokesperson for the National Association of Immigration Judges and an immigration judge in San Francisco, told BuzzFeed News.

The [Daily Kos](#) [9/11/2018 3:22 PM, Gabe Ortiz] reports numerous immigration judges blasted Jefferson Beauregard Sessions III for his remarks to dozens of new judges earlier this week, where he not only complained about immigration courts that show too much "sympathy" in decisions, but also claimed that immigration attorneys are "like water seeping through an earthen dam — to get around the plain words of the [Immigration and Nationality Act] to advance their clients' interests." "We possess brains and hearts, not just one or the other," said one former immigration judge and current immigration attorney, Jeffrey Chase. "Sessions is characterizing decisions he personally disagrees with as being based on sympathy alone, when in fact, those decisions were driven by sympathy but based on solid legal reasoning." The frightening reality is that the attorney general has vast power over immigration courts, and as the latest occupant of that office, Sessions has made it his mission to have the courts and immigration policy match his nativist radicalism. As attorney general, Sessions has taken steps to stomp on asylum claims from those fleeing domestic violence — which could send thousands back to their deaths — established a quota system for immigration judges, and helped implement the barbaric "zero tolerance" policy that kidnapped nearly 3,000 migrant children from the arms of parents, including asylum seekers. In April, one former immigration judge called Sessions's quota plan "an affront to

judicial independence and the due process of law," which was again echoed by other immigration judges following the speech to the new judges this week. "The reality is that it is a political statement which does not articulate a legal concept that judges are required to be aware of and follow," said immigration judge Dana Marks. "It did appear to be a one-sided argument made by a prosecutor."

Additional reporting:

[Breitbart](#) [9/11/2018 1:30 AM, Neil Munro, 2213K]

[Newsweek](#) [9/11/2018 10:51 AM, Ramsey Touchberry, 2126K]

[National Review](#) [9/11/2018 9:20 AM, Jack Crowe, 669K]

[Reason](#) [9/11/2018 3:15 PM, Joe Setyon]

[America's Voice](#) [9/11/2018 12:41 PM, Staff]

[Immigration Impact](#) [9/11/2018 5:39 PM, Aaron Reichlin-Melnick]

[Common Dreams](#) [9/11/2018 8:48 AM, Jake Johnson, 215K]

Immigration Dysfunction: Can Jeff Sessions Restore the Rule of Law in America?

[Epoch Times](#) [9/11/2018 1:22 PM, Carol M. Swain, NY] reports Attorney General Jeff Sessions, a long-term crusader for strict immigration enforcement, recognizes what has become a massive problem for our nation—and he's had it up to here. He has directed a new class of federal judges to enforce the rule of law rather than succumb to the clever arguments of immigration lawyers seeking loopholes for their clients. Sessions, it seems, wants to change the lax system of immigration enforcement that has characterized U.S. policy for decades. Unfortunately, members of Congress have a penchant for evading their constitutional duty "to establish a uniform Rule of Naturalization" as defined under Article 1, Section 8. As Nebraska Sen. Ben Sasse made clear in his dressing down of Congress at the Kavanaugh hearings, the American political system seems hopelessly broken, with Congress regularly shirking its responsibilities. Congressional leaders have perfected the arts of shirking and grandstanding. Members of Congress are quick to agree the immigration system is broken, but the majority are reluctant to make meaningful changes. Instead of passing a comprehensive immigration bill that addresses major barriers for legal and illegal immigrants, Congress prefers to drag its feet and shift the problem to the executive branch. Americans, I believe, are weary of the career politicians who talk tough but vote and act like cowards.

Statement of ABA President Bob Carlson Re: Immigration lawyers and judges

[American Bar Association](#) [9/11/2018 4:49 PM, Staff, 159K] reports that the American Bar Association applauds the work of lawyers who help assure fairness and due process in our nation's immigration courts. During a visit last month to the border in Texas, I was very impressed by their hard work in difficult circumstances. Our Constitution guarantees certain rights to all people in the United States, including men, women and children who come here to escape lawlessness and violence in their home countries.

The ABA strongly supports the independence of immigration judges and immigration courts. These courts should not be subordinate to any executive branch agency, including the Justice Department. Instead, we support the creation of truly independent immigration courts and judges under Article I of the U.S. Constitution. Such an arrangement would remove any perception that politics can play a role in dispensing justice with matters of immigration. Our American democracy rests upon the rule of law – and the rule of law rests upon the work of impartial, independent judges, as well as knowledgeable, hard-working

lawyers, including immigration attorneys who pursue justice, both for the government and for immigrants who seek asylum.

Policy and Legislative News

Locking up more immigrant kids for longer is both inhumane and unnecessary

[The Hill](#) [9/11/2018 12:30 PM, Raul A. Reyes] reports that more immigrant kids need to be locked up, and for longer periods of time. That's the gist of a new policy put forward by the Donald Trump administration on Thursday. The administration has proposed regulations that would allow it to get around the Flores settlement, a court agreement that mandates special protections for children in immigration detention. According to a Department of Homeland Security statement, the new policies are designed to treat immigrant children "with dignity, respect and special concern for their particular vulnerability as minors." But this administration has an absolutely dismal record when it comes to caring for immigrant children. Now it wants to hold them in detention indefinitely, and under looser standards of care. Under any other administration, such a proposal would seem a shocking disregard for the wellbeing of children. Coming from the Trump administration, it is simply the latest of an ongoing series of extreme immigration measures.

DHS Data: Only 1.4 Percent of 2017 'Family Unit' Migrants Sent Home by Mid-2018

[Breitbart](#) [9/11/2018 5:30 PM, Neil Munro, 2213K] reports that legal loopholes ensured that only 1.4 percent of the 94,000 "family unit" migrants who arrived during 2017 were sent home by July 2018, according to agency data provided to Breitbart News. The unreleased agency data ends just before President Donald Trump's administration rolled out a series of fixes to close the loopholes. Those fixes include increased prosecutions, asylum reforms and the replacement of the Flores settlement. The fixes by Trump and Attorney General Sessions likely will ensure that most of the 2017 migrants will be ordered by judges to leave the United States during 2019. The changes will nudge up Americans' wages before the 2020 election if the deportation orders are enforced by the U.S. Immigration and Customs Enforcement agency — despite the Democrats' "Abolish ICE!" and sanctuary-city campaigns. In August, Homeland Security Secretary Kirstjen Nielsen announced an agency regulation that will end the Flores 20-days deadline.

More than 400 undocumented immigrant children remain in government care

[KTSA](#) [9/12/2018 4:29 AM, Associated Press, TX] reports the U.S. government will expand its tent shelter for immigrant minors crossing the southwest border to 3,800 beds and keep it open through the end of this year, an agency spokesman said Tuesday. The facility at Tornillo, Texas, which originally opened with a 360-bed capacity for 30 days, is being expanded based on how many children are in the care of the U.S. Department of Health and Human Services, agency spokesman Kenneth Wolfe said in a statement. Wolfe said the announced expansion was not due to the Trump administration's zero-tolerance policy, which led to the separations of more than 2,500 children from their parents. Three months after enforcement of the policy officially ended, more than 400 children remain in government care, away from their parents, many of whom were deported. Those previous family separations "are not driving this need," Wolfe said. He said 1,400 of the beds will be placed "on reserve status." Department officials have visited military bases and other properties in Texas, Arkansas, and Arizona that could host more beds for immigrant children, but "no decision to use any of these properties has been made," Wolfe said. In

Texas, the state with the longest segment of the U.S.-Mexico border, 5,168 children were being held in government facilities in early August, about 500 children short of capacity, according to figures released by the Texas Health and Human Services Commission. The Tornillo facility is at a U.S. Customs and Border Protection port of entry about 40 miles (64 kilometers) southeast of El Paso. The Tornillo port of entry had previously been used to shelter children in 2016.

More than 400 kids remain separated from their parents. Here's one lawyer's long shot plan to reunite a family

[The Texas Tribune](#) [9/12/2018 1:01 AM, Hannah Wiley, 131K, TX] reports despite a legal team that includes celebrity lawyer Michael Avenatti, an 8-year-old Guatemalan boy separated from his father under Donald Trump's zero tolerance policy remains in a shelter in Baytown with no end in sight. Byron Xol Bol, who was detained with his father after crossing the Rio Grande into Texas in May, is one of 416 separated children who have yet to be reunited with their parents, as attorneys scramble to untangle the details of the cases and the government fails to meet court-ordered deadlines to reunify the children with their families. Byron Xol is among more than 300 children whose parents have been deported, making reunification even more challenging. Avenatti's co-counsel, Laredo attorney Ricardo de Anda, missed Byron's initial immigration court hearing on Sept. 4; as a result, an immigration judge pushed it back to Oct. 30. Now de Anda has embarked on a long-shot legal strategy of bringing the boy's recently-deported father, David Xol, back to the United States and having him turn himself in at the border. De Anda said immigration officials deported the father without giving him time to litigate his asylum case.

Some Parents of Illegal Immigrant Children Don't Want Their Kids Sent Home

[Rush Limbaugh Show](#) [9/11/2018 3:22 PM, Staff] reports the allegation the media and the left made that Trump was purposely separating young children from their families at the border when they arrived in the United States for freedom and prosperity and justice. And Trump hates immigrants and was separating the families and is putting parents in jail and putting the kids in Romper Rooms and he wasn't letting them out ever, it was horrible. And none of that was true. Trump didn't order anything. Trump wasn't ordering any separation. It has been U.S. policy for years and years and years that families be separated when they arrive here illegally and when the adults are claiming asylum. And, in fact, it was a ruling by the Ninth Circuit Court of Appeals in California which reinforced this! It was a leftist idea at the time because the left believes that separated families increase dependence, and any time you can increase dependence on government, that's the Democrats. The Democrats are responsible for this. But Trump decided, "Okay, okay, if you don't want to separate families, I'll do an executive order, we're gonna stop it." And he did. And then the Democrats said, "You can't do that. That's anti-constitutional." So last week Reuters has this story: "The Trump administration said on Thursday it plans to withdraw from a federal court agreement that strictly limits the conditions under which authorities can detain migrant children, and proposed new rules it said would enable it to detain minors during their immigration proceedings." But that's not the deal. That's just the latest catch-up on the news. The real story is this. Parents don't want their immigrant kids back. The ACLU has a problem. After fighting President Trump after separating illegal alien children from their parents, the ACLU has discovered the families don't want their kids back. The group asserted itself as lawyers for these parents but never asked the pertinent question, "Do you want your kids back?" The answer is a resounding "no." [Editorial note: consult source link for audio]

Authorities Can Now Deny Visa and Green Card Applications Without Giving Applicants a Chance to Fix Errors

[Pro Publica](#) [9/11/2018 12:52 PM, Kavitha Surana] reports as President Donald Trump wages a vocal battle against illegal immigration, his administration has been working more quietly to cut down on legal pathways to immigrate to the U.S. On Tuesday, a new policy kicks in, allowing officers with the U.S. Citizenship and Immigration Services to outright deny any visa or green card application that is missing evidence or contains an error. Around 7 million people apply every year. Previously, officers were required by an Obama-era policy to send notices, giving applicants a chance to correct such problems instead of closing the process. Officers can still choose to do so, but they can also opt to skip that step if the application is deemed frivolous. Without the notices, applicants won't have the opportunity to intervene before a decision is made, potentially adding months or years of extra paperwork and thousands of dollars in fees to the already lengthy process. In the case of those trying to renew their visas while they're still in the U.S., they could be placed in deportation proceedings the moment their visas expire.

USCIS spokesman Michael Bars said the policy was changed to cut down on frivolous applications. The agency has said applicants sometimes file substantially incomplete placeholder applications, knowing the back-and-forth with the USCIS will buy them time. "Under the law, the burden of proof is on the applicant," Bars said, "not the other way around." But immigration lawyers worry that there is not enough oversight or clear standards to ensure fair handling. USCIS officers will now have near-complete discretion to make complex judgments behind closed doors. "They can deny you on the fact that, subjectively, they feel in their mind [the application] is not approvable," Pierre Bonnefil, an immigration attorney in New York, said. One reason the lawyers are worried is that they've seen a barrage of scrutiny directed at once-standard immigration applications since Trump took office. ProPublica spoke with a dozen lawyers and reviewed documentation for several of these cases.

She Escaped Domestic Abuse And Is Seeking Asylum. Now A Policy Change Makes Her Future Uncertain

[KVPR](#) [9/11/2018 4:27 PM, Monica Velez, 4K, CA] reports that a 23-year-old woman from El Salvador, who we'll call Ana, is among the hundreds in the San Joaquin Valley and thousands in the nation who are in limbo after Attorney General Jeff Sessions announced gang and domestic violence doesn't qualify as a valid asylum claim in the United States anymore. People escaping gang or domestic violence had been eligible for asylum, alongside those facing persecution because of race, religion, political opinion, nationality or their social group. On June 11, Sessions overturned an immigration appeals court decision during the Obama Administration that ruled domestic and gang violence fall under the "social group" category.

For Years, the U.S. Failed to Protect Thousands Who Risked Everything in Iraq and Afghanistan

[The Atlantic](#) [9/11/2018 2:40 PM, Daniel Klein, MA] reports Matt Zeller joined the U.S. Army after 9/11. "The idea of not serving at that moment was something I couldn't fathom," Zeller says in a new short documentary, premiering on The Atlantic today. Directed by Hunter Johnson and Daniel Klein, Brother is the poignant story of a heroic act that led to a life debt, an indelible friendship, and, ultimately, a fierce fight to rectify a betrayal by the U.S. State Department. On April 28, 2008, Captain Zeller, his company of 15 soldiers, and one of their

Afghan translators, Janis Shinwari, were ambushed by 50 Taliban fighters in Afghanistan. More than 50,000 local interpreters aided U.S. troops on the ground during the wars in Iraq and Afghanistan. Iraqi and Afghan translators served at a great personal risk. Their lives- and those of their families- were in imminent danger. Many were indeed killed by insurgents who viewed them as traitors. As a result, the State Department, under the direction of Senator Ted Kennedy shortly before his death, created the Special Immigrant Visa Program, designed to issue asylum to interpreters and their families. As Zeller and Shinwari would soon come to realize, the program was an empty promise. [Editorial note: consult source link for video]

Illegal immigrants cited in theft of 39 million Social Security numbers

[Washington Examiner](#) [9/11/2018 11:51 AM, Paul Bedard, DC] reports that nearly 40 million Social Security numbers have been stolen and used by illegal immigrants and others to get work, according to agency records obtained by an immigration reform group. The Immigration Reform Law Institute said that from 2012 to 2016 there were "39 million instances where names and Social Security numbers on W-2 tax forms did not match the corresponding Social Security records." The group said that there is a "thriving black market" used by illegal immigrants to get Social Security numbers needed to get a job. Their report draws attention to a move by former President Barack Obama to stop sending so-called "no match" letters to employers notifying them that numbers used by employees on the wage forms do not match their identity. The change followed the president's decision to approve amnesty for some 700,000 younger immigrants let into the U.S. under his Deferred Action for Childhood Arrivals. Some of those have been dubbed "dreamers."

The [Independent Journal Review](#) [9/11/2018 10:44 AM, Madison Dibble, 117K, VA] reports that according to a report by the Immigration Reform Law Institute, a policy change that occurred under former President Barack Obama may have prevented government agencies from protecting the identities of the 39 million compromised Americans.

The policy prevented the Social Security Administration from filing "no match" forms for Social Security Number discrepancies on employment forms. The "no match" reports would alert employers that they may have hired someone using a false identity by cross-referencing names to social security numbers on W-2 forms. From 2012 to 2016, 39 million errors were found, meaning that those Social Security Numbers may be compromised by illegal immigrants seeking work in the United States. According to the report, the policy change for "no match" reports occurred only eight days after Obama signed the Deferred Action for Childhood Arrivals order.

Reported similarly: [The Political Insider](#) [9/11/2018 3:59 PM, Matt]

Zero Tolerance, Infinite Problems

[Voice of San Diego](#) [9/11/2018 7:00 AM, Sara Libby, 18K, CA] reports that when Attorney General Jeff Sessions announced a new "zero tolerance" approach to prosecuting every person accused of crossing into the United States from Mexico illegally, he said the effort was necessary because "a crisis has erupted at our Southwest Border." The zero tolerance policy itself has ushered in its own crisis in the five months since it was adopted, sowing chaos, confusion and mistakes in courtrooms and detention centers as stakeholders on all sides have scrambled to adjust to the massive priority shift. Juveniles have accidentally been charged with crimes in adult court. Problems with witness testimony and other

mistakes have been discovered in real time, leading prosecutors to drop cases mid-hearing. Agencies that detain and transport migrants being charged with misdemeanors have struggled to accommodate the influx of people, resulting in allegations of substandard conditions, delays transporting people to court – leading to more dropped cases – and other issues.

Best Practices for Managing U.S. Immigration Compliance in 2018 (Part 1 of 5)

[National Law Review](#) [9/11/2018 4:32 PM, Susan J. Cohen, 19K] reports that this is a five-part series, that highlights three important USCIS policy changes and provides eight best practice tips in light of the ever-tightening U.S. immigration environment. Three important USCIS policy changes are highlighted below:

1. In the fourth quarter of 2017, USCIS announced that it would no longer apply any deference to prior approvals it has issued for anyone, and all petitions would be reviewed de novo.
2. On June 28, 2018, USCIS issued an unprecedented Policy Memorandum giving itself the right to issue a Notice to Appear ("NTA") to any foreign national where upon denial of the benefit requested, the foreign national would no longer be in a lawful immigration status. In such cases, a foreign worker who is issued an NTA must appear before an immigration judge to defend himself or herself against a charge that he/she is removable (deportable) from the U.S.
3. On July 13, 2018, USCIS issued another Policy Memorandum granting itself the discretion to outright deny an application or petition without first issuing an RFE or a Notice of Intent to Deny ("NOID").

[NJ] New Jersey County Jail to Consider Ending ICE Contract

[Wall Street Journal](#) [9/11/2018 10:30 AM, Joseph De Avila] reports that Hudson County, N.J., will decide this week whether to end its contract with the U.S. Immigration and Customs Enforcement to house detained immigrants in the county jail, one of a growing number of municipalities to consider severing ties with the agency amid pressure from activists. The choice hasn't been an easy one for Hudson County Executive Thomas DeGise, a Democrat, who proposed the change last week. Without the contract, the county jail, the Hudson County Corrections and Rehabilitation Center, would have to go through painful layoffs, and immigration lawyers objected, saying it would move their clients further away. Mr. DeGise proposed phasing out the contract to house immigrants detained by ICE by 2020 at the latest, and believes the county can offset the loss of the money by offering addiction services to other municipalities and housing additional state inmates. The contract, which dates to the 1990s and is expected to bring in \$12 million in 2018, was renewed in July by the county's Board of Chosen Freeholders. An ICE spokeswoman said that canceled contracts can hurt the agency's operations, adding that detainees and their families suffer the consequences too. "Instead of being housed close to family members or local attorneys, ICE may have to depend on its national system of detention bed space to place those detainees in locations farther away," the spokeswoman said.

[FL] Martin immigration case shows family separation doesn't just happen at the border

[TC Palm](#) [9/11/2018 11:46 AM, Gil Smart, FL] reports if you want to get a better idea of how immigration enforcement works — and doesn't — meet Roxana Hernandez. Hernandez, 24, lives in Miami-Dade County with her three kids. Originally from Guatemala, she fled persecution and came to the United States. She has no papers; depending on your ideological bent, she's either "undocumented" or "illegal." Regardless, she led a peaceful life in South Florida. That began to change last April, when she was ticketed for speeding and driving without a license on Interstate 95 in western Martin County. Two months later she returned to Martin County, figuring she would pay the fines. Instead, she was arrested and sent to jail. Then, U.S. Immigration and Customs Enforcement picked her up and transferred her to an ICE detention center in Pompano Beach, where she remained until late August before she was finally allowed out on bond. "Family separation is not just happening at the border," said her attorney, Jonathan Urrutia of the Legal Aid Service of Broward County.

[TX] Trump administration to triple size of Texas tent camp for migrant children
[Washington Post](#) [9/11/2018 4:23 PM, Nick Miroff] reports that a tent camp for migrant children in the desert outside El Paso will expand to accommodate a growing number of Central American children crossing the border, the Department of Health and Human Services said Tuesday. HHS, the federal agency tasked with caring for migrant children and teenagers in U.S. custody, said it would more than triple the size of its camp at the Tornillo-Guadalupe Land Port of Entry from 1,200 beds to as many as 3,800. The Trump administration established the camp in June as a temporary shelter because its facilities elsewhere were running out of space. That occurred at the height of Trump's "zero tolerance" prosecution initiative, a crackdown that separated some 2,500 migrant children from their parents.

Widespread condemnation forced Trump to reverse course and stop the separations in June, but since then HHS has taken in greater numbers of underage migrants. The number of families illegally crossing the border jumped again in recent weeks, according to border agents and administration officials. U.S. Customs and Border Protection is scheduled to release its latest arrest totals Wednesday. Kenneth Wolfe, a spokesman for HHS's Administration for Children and Families, said the need for emergency capacity was the result of the latest surge at the border, not the administration's decision to separate families during the crackdown this spring.

The [El Paso Times](#) [9/11/2018 4:03 PM, Madlin Mekelburg, 11K, TX] reports there are currently 400 beds at the shelter, and in early August, there were nearly 130 unaccompanied minors still being housed there, said state Rep. Cesar Blanco, who met with federal officials at the shelter alongside other state lawmakers. Of the now 3,800 beds that will be in place at the shelter, 1,400 will be added on "reserve status" and will only be filled as needed.

[CBS News](#) [9/11/2018 2:15 PM, Graham Kates] reports that HHS spokesperson Kenneth Wolfe. "'Family separations' resulting from the zero-tolerance policy ended on June 20, 2018 and are not driving this need." Wolfe said in the statement that the site's expansion would be done incrementally. He said the facility currently has the capacity to house 1,200 children. During a press tour of the facility on June 25, the BCFS commander of the site was critical of the federal government's decision to open it. He said it was opened as "a direct result of the policy to separate kids by this administration," referring to the now-discontinued "zero tolerance" policy for migrants caught crossing the border outside

authorized entry points. The policy, announced by Attorney General Jeff Sessions on April 6, set a goal of prosecuting 100 percent of adults caught violating immigration law — even if they needed to be separated from children they were traveling with.

Additional reporting:

[CNN](#) [9/11/2018 8:56 PM, Tal Kopan]

[The Hill](#) [9/11/2018 3:21 PM, Avery Anapol, 3846K]

[Texas Monthly](#) [9/11/2018 10:52 PM, Robert Moore, 87K, TX]

[AZ] BU Works to Reunite Immigrant Families

[BU Today](#) [9/11/2018 12:00 PM, Sarah Sherman-Stokes, MA] reports this past summer was a devastating time for immigrant families trying to enter the United States—parents were criminally prosecuted at the border, and children, some as young as five months old, were forcibly separated from their mothers and fathers. The federal government had no plan to reunite these families, many who came seeking asylum or other protection in the United States after fleeing horrific violence and poverty in their home countries. As the crisis was playing out on the US-Mexico border, School of Law students conceived the idea of a group of them traveling to Arizona to provide legal and social work support where needed. With the generous support of the School of Law and the School of Social Work, a plan came together to send faculty from both schools, along with four law students and one master's level social work student to Arizona for a week to volunteer with the Florence Immigrant & Refugee Project, the sole legal service provider for more than 5,000 immigrant detainees statewide. At the height of the family separation crisis, approximately 328 separated children were living in shelters and detention centers across Arizona.

On Tuesday, we headed south to the Eloy Federal Contract Facility, an US Immigration and Customs Enforcement (ICE) Detention Center in Eloy, Ariz. The day we visited, the facility housed 1,397 immigrant detainees, including men and women, the mentally and physically ill, and survivors of torture and trauma. There, among others, we met with two fathers separated from their children at the border; political activists who had fled torture in their home countries; and longtime US residents, community volunteers with steady jobs and families, who had been arrested and detained by immigration authorities. The common denominator? All were facing deportation. On Wednesday and Thursday, we traveled to two children's shelters, one in Mesa and the other in Phoenix, to provide know-your-rights presentations and intake to boys and girls, including a six-year-old child who could express nothing more than his name, and by a show of his fingers, his age. We concluded our week in Arizona at the Florence Project offices, interviewing children who had been released from immigration custody to help them pursue claims for legal relief in the United States, and meeting again with lawyers to discuss taking and placing their cases for pro bono representation.

[CA] As emotions run high, Tustin city council approves stance against state's 'sanctuary law'

[Orange County Register](#) [9/11/2018 11:48 AM, Susan Christian Goulding, CA] reports that for months, ever since other Orange County cities began taking stands against California's new "sanctuary law," Tustin has faced pressure to do the same. Last week, council members voted 3-2 to send a resolution to state leaders reaffirming the city's 2017 letter expressing opposition to the bill, which then was still a work in progress.

Legal News

Here's A Statistic You Won't Hear From Trump: Over 90% Of Families Seeking Asylum Show Up For Their Court Hearings

[BuzzFeed](#) [9/11/2018 5:39 PM, Adolfo Flores] reports despite the Trump administration's assertion that immigrant families must be detained because they don't show up for court hearings, research shows that the vast majority of families released from detention attend all their scheduled court appearances. Overall, 86% of families released from immigration detention attended all of their court hearings, according to a study by the American Immigration Council that reviewed more than 18,000 immigration court hearings initiated between 2001 and 2016. That percentage exceeded 90% when only families who'd filed asylum applications were considered. The findings contradict the Trump administration's assertion in a recent proposal to revise a court agreement that limits how long children can be held in detention. "In many cases, families do not appear for immigration court hearings after being released," the proposal said. But that claim is contradicted by a review of actual cases, said Ingrid Eagly, a law professor at UCLA and one of the authors of the immigration council's report "Detaining Families: A Study of Asylum Adjudication in Family Detention." "These high rates of reporting to court are inconsistent with government claims that families placed in detention will not report to court after release," Eagly told BuzzFeed News.

Thomas Homan, the former acting director of Immigration and Customs Enforcement, told a congressional committee in May that "many" undocumented families they are forced to release never make it to court. "And even when they do, many more fail to comply with the lawfully issued removal orders from the immigration courts," Homan said. In an October 2017 speech, Attorney General Jeff Sessions echoed what Homan and others in the administration said about asylum-seeking families who passed interviews with immigration officers stating they have a credible fear of returning to their home countries. "Not surprisingly, many of those who are released into the United States after their credible fear determination from DHS simply disappear and never show up at their immigration hearings," Sessions said.

BIA Clarifies Obstruction Of Justice In Deportation Case

[Law 360](#) [9/11/2018 6:30 PM, Suzanne Monyak] reports the Board of Immigration Appeals on Tuesday determined that an offense related to obstruction of justice under the Immigration and Nationality Act requires intent but not interference with a current investigation or proceeding, finding that a Mexican citizen convicted as an accessory to a felony was still removable under that provision. On remand from the Ninth Circuit, the BIA clarified which offenses are encompassed by the INA's obstruction of justice provision, but again dismissed Agustin Valenzuela Gallardo's appeal of an immigration judge's decision that he is subject to deportation because his accessory conviction is an aggravated felony under the INA. The board found that it was not necessary for an immigrant to have interfered with an ongoing proceeding in order to be removable under that provision, but rather any deliberate attempt to interfere with a "reasonably foreseeable investigation or proceeding" would fall under the statute as well. As a result, the BIA found that Valenzuela Gallardo's California state conviction for harboring or helping an individual who committed a felony to evade arrest or punishment did count as an aggravated felony under the INA.

Valenzuela Gallardo, who has lived in the U.S. as a legal permanent resident since 2002, was arrested in 2007 and pled guilty to one count of accessory to a felony under California

state law, and was sentenced to 16 months in prison. The government placed him in removal proceedings in 2010, arguing that the California state law under which he was convicted counted as an "offense related to obstruction of justice" under the INA, according to court filings. An immigration judge denied Valenzuela Gallardo's motion to terminate his removal, and the BIA dismissed his appeal. In 2011, the Ninth Circuit handed down an opinion in a separate case, ruling that a crime counts as an offense related to obstruction of justice under the INA "when it interferes with an ongoing proceeding or investigation." The BIA then reopened Valenzuela Gallardo's case to reconsider it in light of the Ninth Circuit opinion, but dismissed his appeal again in 2012. In that decision, the BIA found that a crime relates to the obstruction of justice within the meaning of the immigration law if it includes an intentional attempt to "interfere with the process of justice." The board said that while many obstructions of justice offenses will involve an ongoing criminal investigation, they do not have to.

Gov't Decries Pick To Monitor Facilities For Immigrant Kids

[Law 360](#) [9/11/2018 7:15 PM, Suzanne Monyak] reports the U.S. government rejected a California federal court's pick for an independent monitor to keep tabs on the government's immigrant detention facilities to ensure they meet the standards for detained children set by a 20-year-old court settlement, asserting in a Monday filing that the court's appointee was biased against the government. The U.S. Department of Justice attorneys refused to stipulate to the court's appointment of retired U.S. Immigration Judge Carol A. King as a special master and independent monitor, claiming in a joint status report that King has "little or no direct experience" with the detention facilities run by U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement. The government also pointed to statements published on King's law office website that it says appear to show "a very real and serious bias against the defendants" and calls into question her ability to impartially monitor CBP and ICE's detention facilities to ensure they meet the standards set in a 1997 settlement agreement known as Flores.

Attorneys for the immigrant children asked the California court in May 2016 to appoint a special monitor to ensure the government's detention facilities were in compliance with the Flores settlement, a year after the court found the government in breach. That settlement, which came as part of a 1985 class action, limited the length of time the government could hold children in immigrant detention facilities and established standards of care for detained minors. In their motion for a special monitor, the attorneys for the class claimed that the U.S. Department of Homeland Security, under then-President Barack Obama, was still violating the settlement by holding immigrant children in unsanitary conditions and failing to provide them with clean drinking water and enough food, among other violations.

Immigration Attys Highlight Concerns With EB-5 Reforms

[Law 360](#) [9/11/2018 8:00 PM, Nicole Narea] reports immigration attorneys expressed concern on Sunday regarding updated U.S. Citizenship and Immigration Services policy guidance related to EB-5 investor visa regional centers, claiming that some of the changes run afoul of rulemaking requirements and due process. On Aug. 24, USCIS updated policy guidance relating to a regional center's geographic area, petitions to grow the geographic area and effects on the filing of EB-5 petitions. An immigrant investor regional center, designated by USCIS, is affiliated with private or public commercial enterprises in which EB-5 petitioners can invest to meet visa eligibility requirements. Petitioners must at minimum invest \$1 million or, alternatively, \$500,000 in rural or high-unemployment areas designated

as "targeted employment areas," as well as create at least 10 jobs. The American Immigration Lawyers Association submitted comments to USCIS on Sunday arguing that the agency had in effect created new requirements for EB-5 petitions without abiding by the Administrative Procedure Act and by merely issuing an update to its policy manual. The organization particularly took issue with a provision in the guidance that asserts a change in a particular enterprise's association with a regional center would be a "material change" that would likely result in denial of a related pending EB-5 application. "AILA opposes USCIS' adoption of the arbitrary and capricious policy deeming any change in regional center affiliation as material," the comments state. "Not only is this policy deeply flawed as a matter of law, it reflects hallmarks of arbitrary caprice including disregard for significant harmful impact to U.S businesses and lawful immigrants contributing to the U.S. economy."

Immigration Bill Roundup: House OKs 'Crime Of Violence' List

[Law 360](#) [9/11/2018 1:22 PM, Tiffany Hu] reports several lawmakers have pushed legislation this month that would clarify the definition of "crime of violence" by which an immigrant could be rendered deportable, provide safeguards in the passport application process and extend temporary protected status for select countries. Here, we examine their proposals.:

Community Safety and Security Act of 2018: Following the U.S. Supreme Court's April ruling in *Sessions v. Dimaya*, where the justice held that the definition of a "crime of violence" with regards to deportation is unconstitutionally vague, the U.S. House of Representatives passed a bill on Friday that aimed to clarify the term. Introduced by Rep. Karen Handel, R-Ga., earlier this month, the bill states that a crime of violence is one that involves "murder, voluntary manslaughter, assault, sexual abuse or aggravated sexual abuse, abusive sexual contact, child abuse, kidnapping, robbery, carjacking, firearms use, burglary, arson, extortion, communication of threats, coercion, fleeing, interference with flight crew members and attendants, domestic violence, hostage taking, stalking, human trafficking, piracy, or a terrorism offense." It also involves illegally possessing or using weapons of mass destruction or explosives, as well as using or attempting to use physical force against a person or property, according to the bill.

Western Hemisphere Travel Initiative Improvement Act of 2018: Rep. Vicente Gonzalez, D-Texas, introduced on Sept. 5 legislation that would require the U.S. Department of State to consider U.S. passport applications in an "individualized, evidence-based manner," prohibiting an individual's race or ethnicity from being factors in the department's evaluation. The bill was introduced in response to reports that the department has been questioning the citizenship and nationality of individuals along the U.S.-Mexico border who are in the process of applying for a passport, according to a statement by Gonzalez. Under the proposed bill, the State Department is barred from applying any "heightened burden of proof" in questioning an individual's citizenship without substantial evidence. Even a birth certificate signed by a midwife would constitute evidence of U.S. citizenship or nationality, according to the bill.

[VA] Deported Before His Case Was Closed

[The Appeal](#) [9/11/2018 1:36 PM, Zack Peterson, 7K] reports that around 2:30 a.m., Perin Tognia said, two deportation officers shook him awake, led him out of his cell and asked him to fingerprint a document. "You have to leave," Tognia recalled one of them saying. Tognia, who came to the United States from his native Cameroon in 2009, said he had a

stay on a 2015 deportation order because of a pending appeal in his case.

Though an immigration judge had ordered Tognia deported in 2015 for missing his hearing, Tognia said he never received proper notice about when to appear and was challenging the issue at the Board of Immigration Appeals in Virginia. As long as that challenge was pending, Tognia had a "stay of proceedings" and couldn't be deported, immigration attorneys and advocates say.

In a panic, Tognia said he tried to explain that to officers on April 24. Before leaving his cell, Tognia said he produced a document from the immigration appeals board confirming his claim had been accepted. It was no use.

Tognia then filed a complaint with ICE's Office of Professional Responsibility calling the deportation attempt "illegal." Since April 24, Tognia said, deportation officers continued to approach him with paperwork and threatened to charge him with additional prison time for resisting deportation. In a statement from late July, ICE spokesperson Bryan Cox said there were "no legal impediments" to Tognia's removal because the courts denied his appeals – though Tognia and his attorney say that's not true. Cox said officers didn't remove Tognia in April because he "physically obstructed it." ICE officers were enforcing a removal order from the courts, said Cox, who added that Tognia has a 2013 conviction for passport fraud/forgery. Cox maintains Tognia didn't have a stay of removal.

[VA] Va. man files class action suit against Culpeper Co. sheriff over ICE holds

[WTOP](#) [9/11/2018 6:04 PM, Jack Moore, 295K, DC] reports that a Virginia man, who was pulled over last August on misdemeanor charges and kept in jail for three months, has filed a class-action lawsuit against the Culpeper County sheriff, claiming the official's practice of holding suspected undocumented immigrants in jail after their release dates is unconstitutional. The case involves Sheriff Scott Jenkins' policy of honoring requests from U.S. Immigration and Customs Enforcement agents to temporarily hold immigrants in custody. The lawsuit claims the sheriff who runs the county jail refused to release prisoners who had ICE detainers placed against them – even if a judge had ordered them to be released and even if friends and family members sought to pay the prisoner's bail. The lawsuit was filed by the Legal Aid Justice Center and Victor M. Glasberg, a civil rights attorney.

Reported similarly: [Daily Progress](#) [9/11/2018 5:00 PM, Allison Brophy Champion, 37K, VA]

[VA] Were Immigrant Teenagers Strapped to Chairs with Bags Over Their Heads?

[Snopes](#) [9/11/2018 1:48 PM, Bethania Palma] reports detained immigrant children were strapped to chairs with bags over their heads. In mid-August 2018, the state of Virginia made public the findings of an investigation detailing conditions inside the Shenandoah Valley Juvenile Center, several weeks after the Associated Press reported multiple migrant children detained there had alleged abuse that included beatings and being tied down to chairs with bags over their heads. A class action lawsuit was filed on 4 October 2017 on behalf of a 17-year-old asylum seeker from Mexico who had fled his home two years earlier seeking refuge in the United States from an abusive father and drug cartel violence. The lawsuit alleges that staff at the Shenandoah Valley Juvenile Center discriminated against Doe and other unaccompanied children from Mexico and Central America and abused them both verbally and physically. The suit also alleges that although Doe and other children

exhibited signs of significant psychological distress including a suicide attempt, "staff are deliberately indifferent to the children's serious mental health needs."

[OH] ACLU asks federal judge to release Haitian asylum seeker jailed for 2 years in Chardon

[Cleveland Plain Dealer](#) [9/11/2018 2:25 PM, Michael K. McIntyre, 484K, OH] reports that the American Civil Liberties Union has asked a federal judge to order the immediate release of Ansly Damus, a Haitian immigrant who has been jailed in Geauga County for nearly two years as the government continues to appeal his asylum award. He has been held since then by Immigration and Customs Enforcement in the Geauga County Safety Center in Chardon. He has twice been granted asylum by a U.S. Immigration Court judge in Cleveland, finding his fear of persecution credible and determining that he had not firmly resettled in Brazil, which might have nullified an asylum claim. A spokesman for Immigration and Customs Enforcement did not respond to a request for comment, and has said earlier the agency would not comment on a case that's still in litigation.

Reported similarly: [News-Herald](#) [9/11/2018 5:22 PM, Andrew Cass, 19K, OH]

[AK] ACLU-Alaska announces settlement in immigration detention

[Washington Times](#) [9/11/2018 11:51 AM, Rachel D'Oro, DC] reports that the American Civil Liberties Union of Alaska says it's settled a lawsuit with the city of Palmer that alleged officers wrongfully detained a Peruvian man over his immigration status. In exchange for dropping his lawsuit, Alex Caceda received \$50,000 in compensation, a written apology from the city, and changes to police procedures in handling immigration detainees and warrants. Caceda was helping provide security at a bar in Palmer in August 2017 when a fight erupted. He tried to help a female bartender, and was hit and left bloodied. The lawsuit says a responding officer asked Caceda if he was from Alaska before asking a dispatcher to contact federal immigration officials. Caceda is married to a U.S. citizen but lacked legal immigration status.

Reported similarly:

[Modesto Bee](#) [9/11/2018 2:29 PM, Rachel D'oro, 35K, CA]

[Anchorage Daily News](#) [9/11/2018 1:33 PM, Zaz Hollander, 98K, AK]

[KTVA](#) [9/11/2018 10:31 AM, Chris Klint, AK]

Enforcement News

Massive Immigration Department Crackdown Leads to Hundreds of Arrests, Nabs 6 Indian Americans

[India West](#) [9/11/2018 2:15 PM, Staff, CA] reports the U.S. Immigration and Customs Enforcement's Enforcement and Removal Operations squad has made hundreds of arrests, which included six Indian Americans, as part of a massive crackdown that spanned across six states. A total of 364 criminal aliens and immigrations violators were arrested during a monthlong crackdown, the federal agency announced. Arrests were made in Indiana, Illinois, Kansas, Kentucky, Missouri and Wisconsin, the report said. Of the 364 arrested, 187 had criminal convictions, 16 were women and 346 men, and 236 were from Mexico, the report added. From the Chicago area, ICE arrested a 25-year-old man from India in Champaign, Illinois. He was convicted of criminal sexual abuse on July 30 and remains in

ICE custody pending his removal, the report said. More than half of the aliens arrested by ERO deportation officers during this operation had prior criminal histories that included convictions for crimes such as assault, attempted murder, burglary, child neglect, child sexual exploitation, domestic violence, drug trafficking and illegal re-entry after deportation, it said.

ICE Should Focus on Employers of Illegal Aliens Who Commit Significant Crimes

[Center for Immigration Studies](#) [9/11/2018 10:30 AM, Dan Cadman] reports media sources are reporting that Immigration and Customs Enforcement (ICE) agents went to the Iowa farm where the accused illegal alien killer of Mollie Tibbetts worked, using a phony identity, and initiated questioning of the others working on that farm. Bravo! I would like to think that these agents, who are a part of the Homeland Security Investigations (HSI) division within ICE, took the initiative as a result of coordination and synergy with agents in the other major division of ICE, Enforcement and Removal Operations (ERO), who would be responsible for identifying and filing a detainer against the alleged murderer. This is the kind of coordination of efforts that makes the whole of ICE larger than its individual parts. But I doubt it happened that way. I have spoken before about the near dysfunction that exists within ICE because so many HSI agents and their bosses disdain doing Title 8 (Immigration and Nationality Act) work except under pressure from above. More likely, the quasi-raid took place because, for once, an enterprising journalist waded into what is now near-forbidden turf by daring to ask the owners of the farm whether or not they used a legal workforce, or whether there might be other illegal aliens employed under false identities.

Border Patrol and ICE Agents Face Increasingly Violent Illegal Immigrants

[New American](#) [9/11/2018 4:45 PM, James Murphy, 36K] reports that the acting Homeland Security Inspector General has reported that Immigration and Customs Enforcement agents and U.S. Customs and Border Protection officers are facing increasingly violent attacks from illegal immigrants. The report shows that ICE agents are being attacked at the highest rate in a decade. The Border Patrol is also seeing an increase in the number and ferocity of attacks by illegal immigrants. ICE agents are in charge of deportations, and the CBP patrols the border between the United States and Mexico.

[MA] Judge halts deportation of Dover Indonesian woman

[Seacoast Online](#) [9/11/2018 7:34 PM, Brian Early, 33K, NH] reports that a local Indonesian woman won a temporary legal victory when a U.S. District Court judge halted her deportation order at least until he can rule on the legality of her federal detention. While her deportation has been stayed, Etty Tham remains jailed at the Strafford County House of Corrections where she has been held since May 27. Tham, through her attorney, William Hahn of Hahn & Matkov of Boston, first filed a writ of habeas corpus in the U.S. Court of Massachusetts on June 15, challenging Tham's detention at the jail. Tham named Rebecca Adducci, the New England field office director for Enforcement and Removal Operations for U.S. Immigration and Customs Enforcement, in the suit along with Strafford County House of Corrections Superintendent Christopher Brackett.

[AL] ICE arrest of approximately 30 illegal immigrants in N. Alabama sparks conversation

[Alabama Today](#) [9/11/2018 8:00 AM, Elizabeth Patton, 2K, AL] reports that agents from the U.S. Immigration and Customs Enforcement arrested "approximately 30 persons" in North Alabama the last week of August, an ICE spokesperson has confirmed to Alabama Today.

"ICE makes targeted arrests on a daily basis in accordance with its ongoing enforcement activity," explained Bryan Cox, the Southern Region Communications Director for ICE. "The general premise I've seen from some in the area that ICE's presence in North Alabama is a new development is not accurate. These arrests were made by Alabama-based officers regularly assigned to the area who conduct targeted enforcement actions as part of their everyday duties."

According to the ICE spokesman, the local field office, which is based in Louisiana and covers a territory spanning Alabama, Arkansas, Louisiana, Mississippi and Tennessee, is averaging, thus far this year, approximately 200 arrests in any given week. In explaining the reasons in which someone facing deportation may not have a criminal conviction or a pending criminal charge though they have been arrested for or suspected of criminal activity ICE noted that decisions of criminal prosecution is up to local prosecutors who when faced with a criminal facing imminent deportation may drop charges in order to allow ICE to expedite the deportation process thus saving the costs associated with incarceration and of trial.

[FL] He's here illegally and was accused of child rape in 2013. Neither is why he's in jail

[Miami Herald](#) [9/11/2018 7:53 AM, David J. Neal, 1126K, FL] reports that though in Florida illegally from Mexico, 29-year-old Wilibaldo Garcia is in a familiar place – accused of sexual battery on a girl relative in Polk County. This time, Garcia's been charged with sexual battery on a victim under 12 after an 8-year-old told her mother Garcia entered her bedroom during the night and fondled her. According to the arrest report, on the previous occasion, in 2013, Garcia "fled the country and was not seen by family in Polk County until late 2017, when he initiated contact with his family members." Garcia is being held without bond. Immigration and Customs Enforcement has put a hold on him, PCSO said.

[KS] 5 men indicted in Kansas on illegal immigration charges

[Washington Times](#) [9/11/2018 11:51 AM, Associated Press, DC] reports that a grand jury has indicted five men who federal prosecutors say unlawfully entered the U.S. after being deported. U.S. Attorney Stephen McAllister says all five men were found in various counties in Kansas and face federal prison sentences. The indictment says 27-year-old Jose Rafael Gutierrez-Yanez has been deported four times. He was found in March in Sumner County. If convicted, he faces up to 10 years in federal prison. The other four men, two from Mexico and two whose nationalities were not given, face two years in prison if convicted. They had been deported between once and three times. They were found in Johnson, Pratt and Ellis counties.

Reported similarly: [Wichita Eagle](#) [9/11/2018 2:33 PM, Chance Swaim, KS]

[OR] Man accused in fatal DUI back to jail following ICE arrest

[U.S. News & World Report](#) [9/11/2018 10:55 AM, Associated Press] reports that a man accused of killing a Salem, Oregon, couple while driving drunk was on his way back to jail following his arrest by deportation officers. Eduardo De La Lima-Vargas, 39, was taken into custody by U.S. Immigration and Customs Enforcement agents when he left the Marion County jail after posting bail Thursday. The Statesman Journal reports that Marion County prosecutors filed a motion to reconsider holding him without bail in order to prevent his removal from the United States so he can face prosecution for his alleged crimes here

before being deported to Mexico. According to ICE officials, De La Lima-Vargas is a citizen of Mexico residing illegally in the United States. Marion County Judge David Leith ruled in the prosecutors' favor, and on De La Lima-Vargas was en route to Salem from an ICE detention facility in The Dalles, Oregon.

[MI] ICE: Deaf Detroit immigrant from Nigeria must leave

[Detroit Free Press](#) [9/11/2018 7:40 PM, Niraj Warikoo, MI] reports that amid a public outcry, U.S. immigration authorities are standing firm in their decision to deport Francis Anwana, a deaf immigrant in Detroit from Nigeria who's lived in the U.S. for three decades, saying he is illegally residing in the U.S. But U.S. Immigration and Customs Enforcement added that it will allow him to leave on his own instead of being deported immediately.

"In an exercise of discretion, ICE is allowing Mr. Anwana to make arrangements to depart the U.S. voluntarily," Khaalid Walls, spokesman for the Michigan and Ohio office of ICE, told the Detroit Free Press. Walls said: "Mr. Anwana, a citizen of Nigeria illegally residing in the U.S., was admitted to the United States in 1987 as an F-1 nonimmigrant student, but violated the terms of his admission by remaining in the U.S. when he was no longer enrolled in school, which made him subject to removal." ICE did not publicly say what Anwana's deadline to leave is. He has a meeting with ICE on Sept. 21, said his advocates.

In 2008, an immigration judge with the Department of Justice's Executive Office for Immigration Review ordered Anwana to be removed from the U.S. In 2009, ICE placed him on an order of supervision because, at the time, the agency was unable to obtain a travel document from his home country.

[U.S. News & World Report](#) [9/11/2018 4:29 PM, Associated Press] reports that an Immigration and Customs Enforcement spokesman says a deaf immigrant from Nigeria in the U.S. illegally can leave the country on his own instead of being deported. Khaalid Walls says Francis Anwana of Detroit can "make arrangements to depart the U.S. voluntarily" instead of being deported Tuesday as originally planned. Advocates for Anwana say he has a meeting with ICE officials on Sept. 21. Friends of Anwana tells the Detroit Free Press he's deaf, can't speak, and has cognitive disabilities. Walls says Anwana was admitted to the U.S. in 1987 as a nonimmigrant student but remained here after leaving school. Anwana's case has drawn attention from the Congressional Hispanic Caucus, a network supporting African immigrants and deaf advocates.

Reported similarly:

[VICE](#) [9/11/2018 10:30 AM, Taylor Dolven]

[Blavity](#) [9/11/2018 2:52 PM, Tonja Renée Stidhum, 71K]

[TX] Deportations of Undocumented Immigrants Without Criminal Convictions Up 140 Percent in Houston Area

[Houston Public Media](#) [9/11/2018 1:15 PM, Elizabeth Trovall, 23K, TX] reports that recent data from Immigration and Customs Enforcement show a 142 percent spike in deportations of immigrants with no criminal convictions from June 2017 to June 2018. June non-criminal removals increased to 655 in the Houston region from 271 in June of 2017. The uptick in non-criminal deportations is due to the addition of some 500 beds in local detention facilities, according to a written statement by ICE. "To accommodate a surge in the number of national immigration-related arrests along the U.S.-Mexico border, Immigration and

Customs Enforcement increased the capacity of its detention facilities in the Houston Field Office area of responsibility by approximately 500 beds. This increase in the detained population in the Houston Field Office led to a corresponding increase in the number of removals that occurred in June 2018," the statement said.

[TX] After An Immigration Raid, A Church Provides Comfort And Help For Families In Paris, Texas

[KERA News](#) [9/11/2018 7:00 AM, Stella M. Chávez, 10K, TX] reports that from the outside, the brick and metal building in Paris, Texas looks like any other storefront. But inside, Iglesia Evangelica Filadelfia has become a place of refuge. It's where immigrants caught up in a raid at a trailer factory – and their family members – have gone seeking information, financial aid and comfort. Last month, U.S. Immigration and Customs Enforcement agents descended on Load Trail in the nearby town of Sumner. ICE arrested 159 workers on immigration violations, including charges of using false work and immigration documents.

[NV] 135 suspects arrested throughout Nevada for numerous felony charges

[NBC News 4](#) [9/11/2018 8:26 PM, Staff, 13K, NV] reports that a U.S. Marshals-led operation conducted from August 20 to September 7 throughout Nevada has led to the arrest of 135 people wanted on numerous felony charges in multiple states and counties, 14 firearms and 2 kilograms of various narcotics seized. The 3 week operation focused on fugitive arrests, gang enforcement, and sex offender initiatives, including joint operations to conduct compliance checks on registered sex offenders. U.S. Marshals Service-led collaborative operations like Operation STAR aim to provide communities with immediate relief from gang-related violence by targeting fugitive gang members and the organizations responsible for committing violent crimes. Homeland Security Investigations was one of the participating agencies.

[CA] Iraqi man seeks release after long immigration detainment

[Washington Post](#) [9/11/2018 11:44 AM, Associated Press] reports that an Iraqi man who is accused of hiding his past as a member of an elite Iraqi military force is asking a federal judge in Minnesota to release him after 16 months in immigration custody. Attorneys for 34-year-old Farass Adnan Ali are challenging what they call his "unreasonable, prolonged" pre-deportation detention, which has included seven months of solitary confinement. The Star Tribune reports that court documents show Ali's immigration case also intersects with an FBI counterterrorism investigation.

The FBI, U.S. Immigration and Customs Enforcement and the U.S. attorney's office declined to comment to the Star Tribune about Ali's case. A federal immigration judge has refused to release Ali on bond, finding that he failed to show that he didn't pose a danger. According to court records, ICE officials allege that when completing immigration forms, Ali concealed his service in the Saddam Hussein regime's elite Republican Guard and said that he had never been arrested in Iraq.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Thursday, Sept. 13, 2018

Executive Office for Immigration Review

Hiring more immigration judges could reduce backlogs 2

Immigration Court Judges Are Skeptical of Jeff Sessions' Backlog-Busting Plan 3

Policy and Legislative News

Trump administration quietly upends decades of bipartisan refugee policies. 3

Special Report: Slamming the door – How Trump transformed U.S. refugee program..... 4

Arrests of migrant families rose 38 percent in August in what Trump officials call a 'crisis' at the border..... 4

Settlement reached in family separation cases: More than 1,000 rejected asylum seekers to get second chance if court approves 5

Detention of Migrant Children Has Skyrocketed to Highest Levels Ever 6

Border chief says child separation controversy has created 'crisis' 6

98 percent of families who illegally entered the U.S. in 2017 are still here.. 7

New data suggests Trump's separation of children at the border was no deterrent7

Family Separation? It's No Big Deal Now7

Immigrant Youth Vulnerable to Abuse in Centers8

Be careful with your green card or visa application. A mistake can now get you deported.....8

Twitter wouldn't allow promotion of 'illegal aliens' tweet, immigration group claims9

Gillibrand clarifies view on ICE9

[NY] NYC Council Passes 'Abolish ICE' Resolution9

[TX] Here's What Is Driving The Increase In Unaccompanied Minor Bedding. It Is Not Family Separation ... 10

[TX] They were laughing at us': immigrants tell of cruelty, illness and filth in US detention 10

[OR] Dozens of Asylum-Seeking Immigrants Are Finally Being Released from an Oregon Prison. Now What?.... 10

[CA] How Immigration Activists Got ICE Out of a County Jail.....	11
[CA] In response to Trump policies, some Californians open their homes to asylum seekers.....	11
[Mexico] U.S. Plans to Pay Mexico to Deport Unauthorized Immigrants There	11

Legal News

Tata Immigration Case Could Shake IT Companies to 'Very Core'	12
Bond Cos. Seek \$5M From Feds For Flawed Immigrant Notices.....	12
Attys Fear Trump Reg Gives Detention Centers A Loose Leash.....	13
[MA] Separated families sue U.S. gov't	13
[VA] Lawsuit filed against use of immigration detainers in Culpeper County	13
[VA] Court ruling revives fight by undocumented immigrants against mobile home park evictions in VA.....	13
[MN] ACLU appeals detention of Rochester Iraqi refugee.....	14
[NV] Mexican Not Deportable For Drug Convictions, 9th Circ. Says	14
[CA] California City Council Sides With Donald Trump, Supports Lawsuit Against Sanctuary State	14
[CA] ACLU asks federal judge to release Haitian asylum seeker jailed for 2 years in Chardon	15
[CA] Immigration Attorneys Talk About How Sexual Orientation Influences Asylum Seeking In The U.S.....	15

[CA] Actress Alyssa Milano highlights lack of legal representation in immigration court during San Diego visit	16
--	----

Immigration Services News

USCIS Explains New Policy on Discretionary Application Denials	16
--	----

Enforcement News

U.S. Senator: Nearly \$10M Diverted to Immigrant Detention	16
ICE says it won't arrest people seeking shelter from Hurricane Florence	17
A scramble to help families left behind: The fallout of the Trump administration's immigration raids.....	18
Exporting Murder: U.S. Deportations and the Spread of Violence	18
[NH] Deportation of Indonesian woman temporarily halted by court	19
[PA] Undocumented immigrant accused of illegal re-entry into U.S. after deportation.....	19
[TN] Meatpacking plant owner pleads guilty after immigration raid	20
[AR] ICE raids business in Alma	20
[MI] Suspects, victim in Sanilac County homicide are undocumented immigrants	21
[MI] Kildee introduces private bill to protect deaf man asked to leave U.S. "voluntarily"	21
[IN] Indiana: ACLU and Marion County Sheriff cut a deal to stop detaining illegals, including Antonio Lopez-Aguilar	22

Executive Office for Immigration Review

Hiring more immigration judges could reduce backlogs

[KGNS](#) [9/12/2018 8:14 AM, Staff, 8K, TX] reports that the United States has seen an increase in deportations, which means an increase in the number of immigration judges.

Congressman Henry Cuellar spoke about the increase in cases and the lack of immigration judges to take care of the backlog. The congressman included language in a bill to hire at least 100 new immigration judge teams, which includes, judges, support staff, technology and work space in addition to several other border security measures. The bill also includes language that increases immigration court efficiency. In the fiscal year 2018 appropriations bill, the congressman secured 100 judge teams, totaling 484 immigration judge teams.

Immigration Court Judges Are Skeptical of Jeff Sessions' Backlog-Busting Plan

[Pacific Standard](#) [9/12/2018 11:00 AM, Massoud Hayoun, 110K, CA] reports that Attorney General Jeff Sessions pledged this week to dramatically increase the number of immigration judges amid criticism that the administration is intensifying a court backlog it has promised to slash. But one organization representing immigration judges is unconvinced. In response to Sessions' announcement on Monday, the National Association of Immigration Judges, a voluntary organization promoting the independence of immigration courts, called for "the Immigration Court to be removed from the Department of Justice into an independent court," in a statement sent to Pacific Standard. Further, NAIJ is advocating for bipartisan congressional support for an immigration court system independent from the Department of Justice. During Trump's first year in office, Department of Justice officials told the press they planned to slash the immigration court backlog in half by the 2020 presidential election year. What followed were a series of measures that analysts say have actually served to fund the backlog, not slash it. Heightened Immigration and Customs Enforcement raids, particularly in California where they have amounted to retaliation for state authorities' refusal to cooperate with mass-deportations, have added to the ranks of yet-to-be-heard cases.

Policy and Legislative News

Trump administration quietly upends decades of bipartisan refugee policies

[Christian Science Monitor](#) [9/12/2018 1:13 PM, Yeganeh Torbati and Omar Mohammed, 202K] reports a week after his inauguration, President Trump issued an executive order temporarily banning travel from several Muslim-majority countries and halting all refugee admissions. Through procedural changes made largely out of public view, the administration has reshaped the US refugee program, slashing overall admissions and all but halting entry for some of the world's most persecuted people, including Syrians, Iraqis, Iranians, and Somalis. This year, with a record high 68.5 million forcibly displaced people worldwide, the United States is on track to take in about 22,000 refugees, a quarter the number admitted in 2016, the last year of Barack Obama's presidency, and the fewest in four decades. In interviews with Reuters, more than 20 current and former US officials described how the Trump administration has abandoned policies established over decades and embraced by Republican and Democratic administrations alike. The officials, most of whom spoke on condition of anonymity, say the administration has rejected internal findings that refugees could be admitted safely and with little expense. It has reduced by nearly two-thirds the number of officials conducting refugee interviews, reassigning about 100 of 155 interviewers to handle asylum screenings for people already in the country, including those who crossed the border illegally. "They're just stuck," said Angie Plummer, executive director of Community Refugee and Immigration Services in Ohio, the group that welcomed Hassan and his family last year. "Security improvements in the refugee program made in recent years to mandate additional screening for refugee applicants undoubtedly makes

Americans safer," said Katie Waldman, a spokeswoman for the Department of Homeland Security.

Special Report: Slamming the door – How Trump transformed U.S. refugee program
[Reuters](#) [9/12/2018 6:11 AM, Yeganeh Torbati and Omar Mohammed, 5544K] reports that a week after his inauguration, Trump issued an executive order temporarily banning travel from several Muslim-majority countries and halting all refugee admissions. Since then, through procedural changes made largely out of public view, the administration has reshaped the U.S. refugee program, slashing overall admissions and all but halting entry for some of the world's most persecuted people, including Syrians, Iraqis, Iranians and Somalis. This year, with a record high 68.5 million forcibly displaced people worldwide, the United States is on track to take in about 22,000 refugees, a quarter the number admitted in 2016, the last year of Barack Obama's presidency, and the fewest in four decades.

In interviews with Reuters, more than 20 current and former U.S. officials described how the Trump administration has abandoned policies established over decades and embraced by Republican and Democratic administrations alike. The officials, most of whom spoke on condition of anonymity, say the administration has rejected internal findings that refugees could be admitted safely and with little expense. Two senior staff members who questioned the administration's policies were removed from their positions. The Trump administration says the changes were necessary. "Security improvements in the refugee program made in recent years to mandate additional screening for refugee applicants undoubtedly makes Americans safer," said Katie Waldman, a spokeswoman for the Department of Homeland Security.

Arrests of migrant families rose 38 percent in August in what Trump officials call a 'crisis' at the border

[Washington Post](#) [9/12/2018 2:00 PM, Nick Miroff] reports that the number of migrant family members arrested for illegally entering the United States shot up 38 percent in August, according to statistics released Wednesday, a surge homeland security officials characterized as a "crisis." Border Patrol agents apprehended nearly 13,000 members of "family units" last month, the latest data shows, the highest August total ever recorded. The increase followed President Trump's decision to back off the provision of his "zero tolerance" crackdown that separated children from parents in an attempt to deter illegal migration.

Migration numbers typically rebound in August after a summer lull. Overall, the number of foreigners apprehended or deemed "inadmissible" at border crossings rose to 46,560 in August, up from 39,953 in July. Department of Homeland Security officials said the arrival of so many families was due to court-imposed restrictions limiting the duration children may be detained in immigration jails. The result, officials said, is that parents bring children as a way to win quick release from government custody and avoid deportation. "The numbers have continued to increase because this is a well-known avenue to arrive in the U.S. and be allowed to stay," said Customs and Border Protection Commissioner Kevin McAleenan, calling the trend "a crisis of significant proportions, from a humanitarian perspective and a security perspective." "Smugglers and traffickers understand our broken immigration laws better than most and know that if a family unit illegally enters the U.S. they are likely to be released into the interior," DHS spokesman Tyler Q. Houlton said in a written statement.

Tee [The Daily Caller](#) [9/12/2018 3:22 PM, Will Racke, 984K, DC] reports that Department of Homeland Security officials attributed the surge in illegal immigration by families to court-imposed policies that prevent the government from detaining adults and children together for long periods of time. The restrictions give migrant parents an incentive to bring children across the border illegally, according to DHS spokesman Tyler Houlton. "Smugglers and traffickers understand our broken immigration laws better than most and know that if a family unit illegally enters the U.S. they are likely to be released into the interior," Houlton said in a statement. "Specifically, DHS is required to release families entering the country illegally within 20 days of apprehension," he added, referring to a provision of the Flores settlement, a federal court order that governs immigration detention.

Reported similarly:

[Washington Post](#) [9/12/2018 4:26 PM, Elliot Spagat]

[New York Times](#) [9/12/2018 6:00 PM, Ron Nixon, 25617K]

[Wall Street Journal](#) [9/12/2018 3:00 PM, Alicia A. Caldwell]

[The Hill](#) [9/12/2018 3:05 PM, Emily Birnbaum]

[Politico](#) [9/12/2018 2:26 PM, Associated Press]

[Breitbart](#) [9/12/2018 2:59 PM, Bob Price, 2213K]

[Breitbart](#) [9/12/2018 2:39 PM, Staff, 2213K]

[Washington Examiner](#) [9/12/2018 5:03 PM, Anna Giaritelli, 535K, DC]

[Washington Times](#) [9/12/2018 3:05 PM, Stephen Dinan, DC]

[Houston Chronicle](#) [9/12/2018 8:36 PM, Lomi Kriel and John MacCormack, 4331K, TX]

[The Texas Tribune](#) [9/12/2018 4:06 PM, Julián Aguilar, 131K, TX]

[KiiiTV3](#) [9/12/2018 5:48 PM, Alan Gomez, 9K, TX]

Settlement reached in family separation cases: More than 1,000 rejected asylum seekers to get second chance if court approves

[Washington Post](#) [9/13/2018 5:52 AM, Fred Barbash and Allyson Chiu, 11614K] reports as many as 1,000 asylum seekers whose claims were heard and rejected by the government under traumatic circumstances of family separation will get a second chance under an agreement announced late Wednesday. The agreement, which still needs approval by federal court judges in three cases, was a significant development in the ongoing controversy over the Trump administration's "zero tolerance" policy which resulted in the separation of thousands of parents from their children starting in the spring. Some of the asylum seekers in question, according to a lawsuit brought on their behalf, were rejected by immigration authorities after interviews during which they were said to be "traumatized" by having had their children torn away from them. The settlement between the government and plaintiffs in the lawsuits represents a major victory for the asylum seekers, children and adults alike. It gives them another chance to apply for asylum before the U.S. Citizenship and Immigration Services, which will adjudicate the application. Asylum requires a showing of "credible fear of persecution or torture" if returned to their home countries.

The agreement, filed in federal court, sets no precedent for future asylum seekers, the government emphasized. It covers those represented in three separate lawsuits brought against the government, which will be dropped once approved, according to the settlement. The plaintiffs in one of the cases at issue – Dora et al v. Sessions et al filed in federal court in Washington – are asylum seekers who the suit said "were forcibly separated from their children by government officials" and then "pushed" through the asylum screening process while "suffering from extreme trauma" due to family separation. As a result, it was alleged, "they could not articulate their stories" to officials and did not understand the questions. A

second case – M.M.M. v. Sessions, also filed in federal court in Washington – involved six immigrant children, ages 6 through 13, who were forcibly separated from the parents after entering the U.S. Judge Paul L. Freedman transferred most of those claims to a third judge considering family reunification cases, Dana Sabraw in the Southern District of California. The case heard by Sabraw, known as "Ms. L" v. U.S. Immigration and Customs Enforcement, involved the separation of a mother and her 7-year-old daughter who sought asylum "fearing near certain death" in the Democratic Republic of Congo. It resulted in an order blocking the Trump administration from deporting parents and children that it separated.

Reported similarly: [VOX](#) [9/13/2018 12:41 AM, Dara Lind, 3472K, DC]

Detention of Migrant Children Has Skyrocketed to Highest Levels Ever

[New York Times](#) [9/12/2018 5:23 PM, Caitlin Dickerson, 25617K] reports that even though hundreds of children separated from their families after crossing the border have been released under court order, the overall number of migrant children under detention has exploded to the highest ever recorded – a significant counter narrative to the Trump administration's efforts to reduce the number of undocumented families coming to the United States. Population levels at federally contracted shelters for migrant children have quietly shot up more than fivefold since last summer, according to data obtained by The New York Times, reaching a total of 12,800 this month.

Federal authorities said they were dealing with high levels of illegal border crossings and requests for asylum. "The number of unaccompanied alien children apprehended is a symptom of the larger issue of a broken immigration system," Evelyn Stauffer, press secretary for the Department of Health and Human Services, said in a statement. "That is why H.H.S. joins the president in calling on Congress to address this broken system and the pull factors that have led to increasing numbers at the U.S. border."

[CNBC](#) [9/12/2018 7:23 PM, Tucker Higgins, 5866K] reports that the number of migrant children being held in federally contracted shelters has risen to 12,800 this month, a spokesperson for the Department of Health and Human Services said Wednesday evening. The Trump administration's immigration policies came under scrutiny earlier this year following the implementation of the so-called "zero tolerance" policy, which involved the forced separation of thousands of migrant families at the border. "The Trump Administration continues to enforce current laws to address our Nation's crisis at the border," HHS spokesperson Evelyn Stauffer said in a statement Wednesday. "The number of families and unaccompanied alien children apprehended are a symptom of the larger problem, namely a broken immigration system."

Reported similarly:

[CBS News](#) [9/12/2018 8:03 PM, Grace Segers]

[New York Post](#) [9/12/2018 8:18 PM, Joe Tacopino, 4882K, NY]

Border chief says child separation controversy has created 'crisis'

[ABC News](#) [9/12/2018 7:04 PM, Mike Levine, 3178K] reports that Homeland Security officials say the recent controversy over the Trump administration's "zero tolerance" policy and the separation of children from parents crossing the border illegally has resulted in a dramatic increase in the number of families now trying to sneak into the United States.

The U.S. immigration system continues to suffer from a "loophole," and "frankly the highlighting of that loophole that's occurred all summer" has produced "a very stark trend," the head of U.S. Customs and Border Protection, Kevin McAleenan, told reporters on Wednesday. "It is a crisis of significant proportions, from a humanitarian perspective and a security perspective," he added. According to current law, families that are apprehended after trying to enter the United States illegally can only be detained for up to 20 days. "Smugglers and traffickers understand our broken immigration laws better than most, and know that if a family unit illegally enters the U.S. they are likely to be released into the interior," DHS spokesman Tyler Houlton said in a statement on Monday.

98 percent of families who illegally entered the U.S. in 2017 are still here

[Washington Examiner](#) [9/12/2018 5:10 PM, Staff, 535K, DC] reports that newly released government data shows 98 percent of families who were apprehended after illegally entering the United States from Mexico in fiscal year 2017 were never deported and remain in the country. In that fiscal year, which ended Sept. 30, 2017, 94,285 people unlawfully crossed the southwest border from Mexico and claimed to be a "family unit" from El Salvador, Guatemala, and Honduras, according to Department of Homeland Security information shared with the Washington Examiner. DHS spokeswoman Katie Waldman said legal "loopholes" that mandate families not be held more than 20 days by DHS have allowed people to avoid facing consequences for trespassing because they are not prosecuted, and instead are released.

New data suggests Trump's separation of children at the border was no deterrent

[Dallas News](#) [9/12/2018 3:33 PM, Dianne Solis, Senior writer, 496K, TX] reports that arrests of immigrant families who cross the U.S. border rose 38 percent in August, despite the Trump administration's practice of separating children from parents to deter illegal crossings. The numbers suggests that the effects of the immigration crackdown have failed to discourage families who are largely fleeing in countries like El Salvador, Honduras and Guatemala when they head north. About 12,800 family members crossed in August, or about 3,500 more than the 9,247 in July, according to statistics released Wednesday by the Department of Homeland Security.

Family Separation? It's No Big Deal Now

[Immigration Reform](#) [9/12/2018 4:00 PM, Bob Dane] reports after much wailing over migrant families separated at the border, it turns out that many parents don't want to be reunited with their children after all. Of 162 Central Americans deported without their kids, 109 have opted to leave their youngsters in the U.S. Attorneys for the American Civil Liberties Union say the recalcitrant parents fear for their children's safety south of the border. These willingly abandoned children, along with thousands of unaccompanied alien children (UACs — minors who traveled to the U.S. without family members), will be allowed to pursue asylum claims, while living in government shelters or placed with family members or foster families. But under new rules by the Trump administration, fleeing domestic violence and gang violence will no longer be accepted as reasons to pass so-called credible-fear interviews, the first hurdle to be allowed into the U.S. to apply for asylum. The new rules allow U.S. Citizenship and Immigration Services officers to count illegal entry as a mark against consideration for asylum — if an applicant has "demonstrated ulterior motives for the illegal entry that are inconsistent with a valid asylum claim."

Since 2016, more than 100,000 UACs have been released into the interior of the U.S., according to the Department of Homeland Security. Now the administration wants to stanch the illegal influx of minors – irrespective of their parents' desires and intentions. Whatever gang activity exists in places like Guatemala and Honduras, U.S. officials say young migrants are ripe recruits for violent gangs here, such as MS-13. One review of unaccompanied alien children in custody of the Department of Health and Human Service's Office of Refugee Resettlement found 39 of 138 were in gangs most of them voluntarily. In addition, minor children who travel to, or are left in, the United States alone frequently become victims of human smugglers, sex traffickers and sweatshop operators. As the "family separation" narrative shifts with deported parents rejecting efforts to bring their children home, immigration activists continue to stir the pot in U.S. courts. A federal class-action lawsuit filed this month seeks unspecified financial compensation and the creation of a fund to pay for mental health treatment for more than 2,000 children taken from their parents after illegally crossing the U.S.-Mexico border this spring.

Immigrant Youth Vulnerable to Abuse in Centers

[Seattle Weekly](#) [9/12/2018 4:30 AM, Melissa Hellmann, 17K, WA] reports that last October, a 17-year-old boy from Honduras hid in his room after making a routine bathroom trip at the Selma R. Carson Home, a staff-secure facility for unaccompanied minors in Fife, Washington. A staff member searched for the boy in the bathroom, then entered his room to check under the bed and inspect the window to ensure that it was secure. The boys, ages 12-17, are under close supervision, although they're not held in jail-like cells. Staff and the 17-year-old resident's accounts of the afternoon then diverge, according to a police report filed a few days later. The boy alleged that he was hiding under a blanket atop the mattress when the staff member pulled back the covers and "touched him on his genitalia," a Child Protective Services (CPS) worker wrote in an intake report filed an hour later. When police arrived at the facility four days later to investigate the CPS referral, the boy had already been transferred to a juvenile detention center in California "due to his criminal history and problems he was causing at Selma Carson including damage to property," a Fife police officer wrote in the case report.

The staff member denied the allegation, insisting to police that he had found the boy hiding under a blanket that was wedged between a mattress and the wall. He told the officer that he had removed the blanket from the fully-clothed boy, then shook his head in disapproval as he walked out of the room. The boy had a reputation for hiding from staff members, the subject explained to the police. The staff member — whose identity [Seattle Weekly](#) is withholding because he was never charged with a crime — remains employed at the facility nearly a year after the sexual assault allegation. Although last year's investigation was dropped, the case was one of nearly 200 incidents dating back to Jan. 1, 2017 gleaned from police reports and call logs relating to three federally-funded nonprofit facilities in Washington that house 12- to 17-year-old immigrants.

Be careful with your green card or visa application. A mistake can now get you deported

[Miami Herald](#) [9/12/2018 6:37 PM, Daniel Shoer Roth, 1126K, FL] reports that a new policy by the U.S. Citizenship and Immigration Service that took effect Tuesday will have a significant negative impact on legal immigrants with pending or upcoming applications. The updated guidance will affect almost all immigration applications, petitions and requests, including U.S. citizenship, permanent residence and visa extensions, according to a USCIS

announcement.

In light of the policy changes, immigration officials will now have broader authority to issue case denials over mistakes and missing documents without giving applicants an opportunity to fix them and provide additional documentation. According to Lexology, a source of international legal updates, analysis and insights, because of those changes, USCIS "may now deny a matter without an RFE and may directly deport an unsuccessful applicant or requestor who has accrued unlawful presence, without first referring the case to US Immigration and Customs Enforcement as traditionally occurred."

Twitter wouldn't allow promotion of 'illegal aliens' tweet, immigration group claims

[FOX News](#) [9/12/2018 4:00 PM, Nicole Darrah] reports the executive director of the Center for Immigration Studies (CIS) is claiming that Twitter blocked the group from promoting a tweet that included the words "illegal aliens." "Twitter just rejected paid promotion of the tweet below, saying: 'This determination is based on the following Twitter Ads policy: Hateful Content,'" executive director Mark Krikorian tweeted Tuesday. He added, "It's because it contains the phrase 'illegal alien', which @TwitterAdsHelp deems unacceptable." The tweet in question featured a video from The Daily Caller. The video of "illegal aliens pouring across the border," CIS argued, "reminds us why we need a wall." Krikorian claimed Twitter didn't let the group pay to promote the tweet, and said another tweet — which included the words "criminal aliens" — was also denied. CIS argued that while Twitter allegedly deemed the posts "Hateful Content," the term "'illegal aliens' has been used in both federal law and by the Supreme Court." Twitter declined to comment to Fox News.

Gillibrand clarifies view on ICE

[Post Star](#) [9/12/2018 12:00 PM, Michael Goot, 31K, NY] reports U.S. Sen. Kirsten Gillibrand said she has proposed eliminating the Immigration and Customs Enforcement agency not because she supports open borders, but because the agency has gotten away from its core mission of catching criminals. Gillibrand, D-N.Y., attracted controversy when she was quoted in June as supporting the elimination of the agency. Gillibrand, D-N.Y., attracted controversy when she was quoted in June as supporting the elimination of the agency. Gillibrand proposes to eliminate the agency in its current form and "reimagine" it. She said she took that position after receiving a letter from 19 ICE agents, saying their reputation has been ruined. "Local law enforcement will not work with them. Local elected officials aren't working with them," she said Monday during a meeting with The Post-Star editorial board. Gillibrand said commentators have taken her words out of context by just focusing on abolishing ICE and not on replacing it with a reformed agency.

[NY] NYC Council Passes 'Abolish ICE' Resolution

[The Daily Caller](#) [9/12/2018 8:34 PM, Peter Hasson, 984K, DC] reports the New York City Council passed a resolution Wednesday calling on the federal government to abolish the Immigration and Customs Enforcement, which enforces the nation's immigration laws. Democratic Councilwoman Helen Rosenthal sponsored the resolution, which passed in a voice vote. "ICE, under the direction of President [Donald] Trump, has demonstrated an inability to fulfil [sic] its duties without violating due process, human rights, transparency, public accountability, or an adherence to domestic and international law," the resolution states. America "does not need an opaque and rogue agency operating in our communities, dehumanizing our neighbors, and acting without consequence," the resolution adds.

Reported similarly: [New York City Patch](#) [9/12/2018 7:01 PM, Noah Manskar, NY]

[TX] Here's What Is Driving The Increase In Unaccompanied Minor Bedding. It Is Not Family Separation

[The Daily Caller](#) [9/12/2018 4:05 PM, Neetu Chandak, 984K, DC] reports that a Texas immigrant detention center is seeking to increase the 1,200 beds it has for unaccompanied minors to a total of 3,800 beds not because of family separation, but instead, an increase of unaccompanied immigrant children, a Department of Health and Human Services spokesman told The Daily Caller News Foundation.

"The need for the continuation of the operation at Tornillo [Texas] is based on the number of unaccompanied alien children in the care of the Office of Refugee Resettlement [ORR] at HHS' Administration for Children and Families, who crossed the border alone without their parent or legal guardian," Kenneth Wolfe, deputy director for the Office of Communications at HHS, said to TheDCNF. "Family separations' resulting from the zero-tolerance policy ended on June 20, 2018 and are not driving this need."

The [Texas Standard](#) [9/12/2018 4:08 PM, Kristen Cabrera, 3K, TX] reports that "Significant policy changes by the Trump administration makes it much, much more difficult to place those children with family members in the United States," Moore says. "As a result, you had this backlog of children in the Office of Refugee Resettlement shelter program." He says that office is now responsible for placing almost 13,000 children, which is higher than the number it dealt with under the family separation policy. That's because there's now more restrictions on how kids are placed.

[TX] They were laughing at us': immigrants tell of cruelty, illness and filth in US detention

[The Guardian](#) [9/12/2018 4:00 PM, Andrew Gumbel] reports that the Guardian sat in with a team of volunteer doctors and nurses administering emergency medical care and listened as family after family gave jarringly consistent accounts of what they described as grim conditions in a variety of border detention facilities – conditions that have grown only grimmer since the advent of Donald Trump's "zero tolerance" immigration policies. Officials said the allegations made by families about their experiences in detention did not equate with what they knew to be common practice and they insisted detainees were treated with dignity and respect. The Department of Homeland Security has continued to defend its practices in response to such public reports and also in court. A Customs and Border Protection (CBP) spokeswoman said she "strongly disagrees" with the allegations presented in this piece. "The alleged incidents do not equate to what we know to be common practice at our facilities. We treat those in our custody with dignity and respect," the CBP said. CBP questioned whether the "hieleras" – the icebox facilities referred to by the detainees – were in fact run by its sister agency ICE. But ICE, in a statement of its own, said it did not have a detention facility in McAllen and that "previous reports have shown that [the terms 'hielera' and 'parrera'] are used in reference to CBP facilities".

[OR] Dozens of Asylum-Seeking Immigrants Are Finally Being Released from an Oregon Prison. Now What?

[Portland Mercury](#) [9/12/2018 7:00 AM, Alex Zielinski, 59K, OR] reports relief is the expression Navneet Kaur sees on the faces of immigrant men shortly after they've been

released from Sheridan Federal Correctional Institute in Sheridan, a federal prison. For nearly three months, Kaur has met with these men at the Sheridan Federal Correctional Institute in Oregon – where, in a small meeting room, she's helped translate conversations between the Indian asylum-seekers and their attorneys. Now the men have traded their desperation for hope. For the men in Sheridan, who fled their countries seeking asylum in the US only to be arrested by U.S. Immigration and Customs Enforcement and sequestered in a prison cell, it's the first time they've felt welcome in their new country. For volunteers like Kaur, the men's release is an opportunity to right the wrongs of our federal immigration laws and help them answer a pivotal question: What's next?

[CA] How Immigration Activists Got ICE Out of a County Jail

[Capital & Main](#) [9/12/2018 11:03 AM, David Bacon, CA] reports that Bay Area immigrant communities and immigrant rights activists felt they'd won an important victory July 10. At a news conference, Sheriff David Livingston, flanked by the Contra Costa County Board of Supervisors, announced that his department was ending its contract with Immigration and Customs Enforcement (ICE) to hold immigration detainees in Richmond at the West County Detention Facility, one of the county's four jails. Immediately, the organizations that had put pressure for years on the county over its cooperation with ICE demanded the release of the detainees, urging authorities not to transfer them to another location. For the next two months, until the immigrant facility inside the jail was closed, detainees' families and their supporters mobilized to get legal help, and raise the bond money needed to bail people out of detention. In the end, they raised tens of thousands of dollars, and freed 21 of about 175 detainees held inside the center. The rest were transferred.

ICE spokesman Richard Rocha accused those who had pressured the county of being responsible for separating families. In a statement when the contract was canceled he said, "Instead of being housed close to family members or local attorneys, ICE may have to depend on its national system of detention bed space to place those detainees in locations farther away, reducing the opportunities for in-person family visitation and attorney coordination." Immigrant rights activists called that a threat and tried to free as many detainees as they could.

[CA] In response to Trump policies, some Californians open their homes to asylum seekers

[Los Angeles Times](#) [9/12/2018 8:00 AM, Andrea Castillo] reports that since June, nearly 800 people around the country have pledged to offer housing through California-based Freedom for Immigrants. The organization has raised more than \$100,000 this year to bond 50 immigrants, including Aguilar, out of detention. Immigrants eligible for release from detention must provide the address of a sponsor to immigration authorities. Other organizations, including those associated with the sanctuary church movement, are also opening their doors to detained migrants in need of transitional housing. "When the crisis of family separation hit the media and there was an outpouring of people who wanted to help — that's when we realized that we had an opportunity to really ask people to pledge more than monetary support," said cofounder Christina Mansfield. "The goal for us is to show that, if given the power, communities are willing and capable of being part of the solution of ending immigration detention and providing more-humane alternatives."

[Mexico] U.S. Plans to Pay Mexico to Deport Unauthorized Immigrants There

[New York Times](#) [9/13/2018 12:59 AM, Gardiner Harris and Julie Hirschfield Davis, 25617K] reports President Trump has promised for years that Mexico would pay for a vast border wall, a demand that country has steadfastly refused. Now, in the Trump administration's campaign to stop illegal immigration, the United States plans instead to pay Mexico. In a recent notice sent to Congress, the administration said it intended to take \$20 million in foreign assistance funds and use it to help Mexico pay plane and bus fare to deport as many as 17,000 people who are in that country illegally. The money will help increase deportations of Central Americans, many of whom pass through Mexico to get to the American border. Any unauthorized immigrant in Mexico who is a known or suspected terrorist will also be deported under the program, according to the notification, although such people are few in number. Katie Waldman, a spokeswoman for the Department of Homeland Security, said the program was intended to help relieve immigration flows at the United States border with Mexico. "We are working closely with our Mexican counterparts to confront rising border apprehension numbers – specifically, a 38 percent increase in families this month alone – directly and to ensure that those with legitimate claims have access to appropriate protections," Ms. Waldman said.

Legal News

Tata Immigration Case Could Shake IT Companies to 'Very Core'

[Bloomberg BNA](#) [9/12/2018 4:00 PM, Laura D. Francis] A class action accusing Tata Consultancy Services Ltd. of bias against U.S.-born workers could make big waves in the information technology staffing industry. The case is one of seven asserting that IT staffing companies prefer foreign workers from South Asia over qualified Americans. All of the companies being sued are heavy users of H-1B guest worker visas, which go to skilled professionals in "specialty occupations." Should a court rule that Tata Consultancy's and other consulting firms' use of those visas violates anti-discrimination laws, it could force the companies to change their long-standing hiring and business models. If there aren't enough U.S. workers to take the place of H-1B visa holders, as the companies say, that could force them out of business. Tata Consultancy is the second largest H-1B user, with 14,697 visa petitions approved in fiscal year 2017, according to U.S. Citizenship and Immigration Services data. By contrast, the company recruited about 3,000 U.S. workers last year, and 12,500 over the past five years, a spokesman told Bloomberg Law.

Bond Cos. Seek \$5M From Feds For Flawed Immigrant Notices

[Law 360](#) [9/12/2018 8:36 PM, Kevin Penton] reports a recent U.S. Supreme Court decision that requires the federal government to include time and place information on notices to appear that it serves immigrants should relieve two bonding agencies and their guarantor from having to pay approximately \$5 million in penalties for previous breaches, the companies contended Tuesday in D.C. federal court. Because the high court's June ruling in *Pereira v. Sessions* clarified that the government erred by not including the pertinent information in the notices it sent immigrants, the companies should not be on the hook for when those immigrants subsequently did not show up for their hearings, according to the complaint filed by bonding companies Big Marco Insurance and Bonding Services LLC and Statewide Bonding Inc. and their guarantor, Nexus Services Inc. After immigrants bonded by the companies failed to appear at their hearings, Big Marco and Statewide were hit with financial penalties of either a third, two-thirds or the full amount of their bonds, and Nexus indemnified the companies, according to the complaint. The U.S. Department of Justice declined to comment Wednesday.

Attys Fear Trump Reg Gives Detention Centers A Loose Leash

[Law 360](#) [9/12/2018 9:58 PM, Nicole Narea] reports attorneys said that the Trump administration's proposed rule to eliminate a decades-old settlement agreement that established bedrock protections for immigrant children in custody would not only vastly expand family detention, but also fail to impose oversight holding detention centers accountable. The rule, announced Sept. 6, would vacate a 1997 federal consent decree known as the Flores settlement agreement and allow the administration to detain children with their parents for the entire duration of their criminal or immigration proceedings, which often last months or years. The government asserted that families must be able to be detained together on a wide scale as a method of deterring further unauthorized border crossings. The Flores settlement agreement created certain standards of care for immigrant children in detention, including the requirement that they not be detained in adult detention facilities for more than 20 days. In June, President Donald Trump issued an executive order directing his administration to modify the settlement agreement such that it could detain families together where possible and to create more facilities to do so. Attorneys said that the proposed regulation offers little assurance that detention facilities would be subject to sufficient oversight, supplanting state licensing with a federal regulatory scheme that would essentially allow the government to self-police.

[MA] Separated families sue U.S. gov't

[Bay State Banner](#) [9/12/2018 11:04 AM, Catherine McGloin, 2K, MA] reports that she was forcibly separated from her 17-year-old son and 9-year-old daughter after attempting to cross the Southwestern border into the United States last May. Now, on behalf of her children, this mother and her husband, along with another father separated from his son by U.S. Immigration and Customs Enforcement officers, are suing federal government officials and seeking damages for the long-term psychological trauma caused by forced separation. The complaint, filed Sept. 5, is the first class action case against the government on behalf of children separated from their families by ICE. Cooper and the coalition of lawyers, which includes representation from Nixon Peabody LLP, Demissie & Church, the law offices of Jeff Goldman, and the Lawyers' Committee for Civil Rights and Economic Justice, are suing Attorney General Jeff Sessions, Homeland Security Secretary Kirstjen Nielsen and White House Chief of Staff John Kelly, as well as other top-ranking government officials.

[VA] Lawsuit filed against use of immigration detainers in Culpeper County

[CBS 19 News](#) [9/12/2018 1:16 PM, Staff, 2K, VA] reports that a class action lawsuit has been filed against the Culpeper County Sheriff's Office. The lawsuit claims Sheriff Scott Jenkins unlawfully holds immigrants in jail past their release dates. According to a release, the suit was filed by the Legal Aid Justice Center to challenge a policy of honoring immigration detainers" from the U.S. Immigration and Customs Enforcement to hold people past the time they are ordered released by a judge. The lawsuit was filed on behalf of Francisco Guardado Rios, who says he was arrested for a minor traffic violation in Culpeper County and spent three months in jail.

[VA] Court ruling revives fight by undocumented immigrants against mobile home park evictions in VA

[Washington Post](#) [9/12/2018 4:57 PM, Antonio Olivo, 11614K] reports that a federal court of appeals ruling Wednesday revived a 2016 lawsuit by a group of undocumented immigrants that seeks to block a Northern Virginia mobile home park from evicting tenants who lack Social Security numbers. In the original case, eight undocumented immigrant residents of

the Waples Mobile Home Park in Fairfax County argued that the eviction policy by their landlord – A.J. Dwoskin & Associates – violates the federal Fair Housing Act because it has a disparate impact on Latino tenants. Last year, U.S. District Court Judge T.S. Ellis in Alexandria dismissed the case, ruling that the residents didn't have enough proof to even merit consideration that such discrimination took place.

In a 2-1 ruling, the U.S. Court of Appeals for the Fourth Circuit disagreed; citing statistics provided by the tenants' lawyers that show a high proportion of undocumented immigrants in Virginia are Latino. The fact that the tenants at Waples are also mostly Latino makes them more likely to be affected by the eviction policy, the court of appeals found. The ruling remanded the case back to Ellis's court, where the Legal Aid Justice Center and other attorneys representing tenants want a jury to determine whether the Waples policy was intended to force out Latino tenants.

[MN] ACLU appeals detention of Rochester Iraqi refugee

[Rochester Post Bulletin](#) [9/12/2018 9:00 AM, John Molseed, 25K, MN] reports that an Iraqi refugee who settled in Rochester has been detained by immigration officials for more than 16 months. Federal immigration officials say Farass Adnan Ali, 34, concealed that he had been a member of Saddam Hussein's elite Republican Guard. An unsealed federal search warrant affidavit does not outline evidence for that conclusion. However, the warrant does allege Ali lied to investigators about his social media usage and details what federal investigators found on Ali's phone, social media posts and messaging apps. The American Civil Liberties Union filed a petition for a writ of habeas corpus in federal court Friday challenging the 16-month detention leading up to deportation proceedings. Ali was held in solitary confinement for seven months, said ACLU attorney Ian Bratlie.

[NV] Mexican Not Deportable For Drug Convictions, 9th Circ. Says

[Law 360](#) [9/12/2018 3:04 PM, Kevin Penton] reports the Ninth Circuit on Tuesday reversed a determination that a Mexican native is removable because of drug-related convictions under Nevada state law, holding that the laws are not equivalent to federal statutes that would expose the lawful permanent resident to deportation. The appellate court panel determined that the Nevada conspiracy law that Julio Cesar Villavicencio was convicted of breaking includes a broader range of criminal activity than what is described in an equivalent federal statute, while the state drug law at issue in the case includes a longer list of substances than those included in the federal Controlled Substances Act, according to its published opinion. The court also determined that neither state law is "divisible," which would allow federal courts to ascertain the specific criminal conduct that Villavicencio was convicted of and whether it lines up with the federal equivalent that would expose him to deportation under the Immigration and Nationality Act, according to the opinion. Under the so-called categorical approach, courts can only look at the law under which an individual is convicted — not the conduct underlying the conviction — to determine whether an offense corresponds to a certain definition. If the elements of the state offense are equal to or narrower than those of the federal offense, the state offense is considered a categorical match, the Board of Immigration Appeals has held.

[CA] California City Council Sides With Donald Trump, Supports Lawsuit Against Sanctuary State

[Newsweek](#) [9/12/2018 10:04 AM, Jenni Fink, 2126K] reports that on Tuesday night, after a heated three-hour debate, the Vista City Council in California voted in favor of supporting

the Trump administration's lawsuit against the state's sanctuary law. In June, the city council voted to support the federal lawsuit, but a second vote was conducted on Tuesday after Councilman Joe Green introduced a motion to revote on the decision, according to KSWB. Green pushed for a revote because Councilman John Aguilera had been absent for the vote in June, which passed three to one. Residents were given the opportunity to express their opinion on the vote and spoke both for and against the lawsuit during the meeting. Some argued that a no vote on the lawsuit was about uniting communities, while others said the country's immigration laws needed to be enforced. Ultimately, the city council voted to uphold its original decision to support the Trump administration's lawsuit, joining San Diego County and the cities of Carlsbad and Escondido. In March, the Trump administration sued the state of California over its policies on how law enforcement agencies, public institutions and private businesses could work with the Immigration and Customs Enforcement agency.

[San Diego Union Tribune](#) [9/12/2018 4:00 PM, Deborah Sullivan Brennan, CA] reports that the "California Values Act," Senate Bill 54, establishes schools, libraries, courthouses and health facilities as immigration "safe zones" and prohibits local law officers from asking the immigration status of people they detain, arresting people based on immigration warrants, participating in border patrols, among other things. The Trump administration sued California over that law and other immigration policies, charging that they are unconstitutional and interfere with federal immigration enforcement.

[CA] ACLU asks federal judge to release Haitian asylum seeker jailed for 2 years in Chardon

[Haitian Times](#) [9/12/2018 3:04 PM, Staff, NY] reports the American Civil Liberties Union has asked a federal judge to order the immediate release of Ansly Damus, a Haitian immigrant who has been jailed in Geauga County for nearly two years as the government continues to appeal his asylum award. Damus was an ethics teacher in Haiti and in one of his seminars used local government official Benjamin Ocenjac as an example of someone who used bandits to terrorize the population. "La Meezorequin" ("the Shark Bones Army"), an armed gang loyal to Ocenjac, beat Damus, set his motorcycle on fire and threatened his life, according to court documents. About ten days later, Damus fled first to Brazil, and then to the United States, where he immediately presented himself for asylum at the California border in October 2016. He has been held since then by Immigration and Customs Enforcement in the Geauga County Safety Center in Chardon. He has twice been granted asylum by a U.S. Immigration Court judge in Cleveland, finding his fear of persecution credible and determining that he had not firmly resettled in Brazil, which might have nullified an asylum claim. But the government has denied his release as it appeals those rulings.

[CA] Immigration Attorneys Talk About How Sexual Orientation Influences Asylum Seeking In The U.S.

[WLRN](#) [9/12/2018 7:04 PM, Alejandra Martinez, 16K, FL] reports that two immigration attorneys are fighting to protect the rights of LGBTQ asylum seekers facing persecution in their home countries. On Saturday, Sept. 15, O Cinema Wynwood is hosting a panel about immigration issues focused on how they impact the LGBTQ community. They will be screening a documentary web-series titled "Finding Home" about LGBTQ asylum seekers in Los Angeles.

[CA] Actress Alyssa Milano highlights lack of legal representation in immigration court during San Diego visit

[San Diego Union-Tribune](#) [9/12/2018 3:40 PM, Kristina Davis, 320K, CA] reports that identifying only as Wendy B., a teenage girl recounted her experience with the immigration system on the steps of downtown San Diego's Civic Center Plaza Wednesday, she had some high-profile support behind her – actress and activist Alyssa Milano. The two were joined by local immigrant advocates to draw national attention to the reality that few migrants undergoing immigration proceedings are represented by attorneys. Unlike the criminal legal system, which provides defense no matter the ability to pay, the civil immigration legal system does not afford that right. It doesn't matter if the person is seeking asylum or how the person crossed into the U.S., numerous nonprofit organizations and pro-bono efforts fill that gap – an amount that has expanded recently to respond to the Trump administration's "zero tolerance" policy and separation of families – but nowhere near enough to provide representation for everyone.

Immigration Services News

USCIS Explains New Policy on Discretionary Application Denials

[National Law Review](#) [9/12/2018 5:13 PM, Jessica K. Lang, 19K] reports that beginning September 11, 2018, USCIS immigration officers will have more discretion to issue petition and application denials without first issuing Requests for Evidence or Notices of Intent to Deny. On September 6, 2018, the Ombudsman's Office provided further details on the new policy change. The new policy takes effect on September 11, 2018, and will apply to applications received by USCIS on or after September 12, 2018. Adjudicators have full discretion to issue denials where the initial evidence submitted does not establish eligibility or there is no possibility of approval based on the evidence submitted. The new policy is not meant to penalize those who make innocent mistakes or who misunderstand the requirements establishing eligibility, but is intended to promote complete filings so resources can be allocated to timely adjudicate petitions.

Enforcement News

U.S. Senator: Nearly \$10M Diverted to Immigrant Detention

[VOA News](#) [9/12/2018 3:10 PM, Victoria Macchi 1094K] reports that U.S. Homeland Security officials are downplaying the transfer of nearly \$10 million from the U.S. disaster response agency to immigration enforcement efforts, first brought to national attention in a TV appearance by a senator Tuesday night. Jeff Merkley, a Democrat from the northwestern state of Oregon, told a nightly MSNBC news program that the funds from the Federal Emergency Management Agency, or FEMA, were allocated for "detention beds" and "transportation and removal" by U.S. Immigration and Customs Enforcement. Both agencies are part of the U.S. Department of Homeland Security. DHS said the transfer of funds would neither affect FEMA's readiness for emergencies, nor support immigration enforcement. In a statement emailed to reporters Wednesday morning, a DHS spokesperson referred to "misinformed reports" of the \$9.8 million transfer.

The [Washington Post](#) [9/12/2018 3:03 PM, Colleen Long] reports that Trump administration officials pushed back Wednesday against a Democratic senator's claim that nearly \$10 million from the government's disaster relief agency was transferred to immigration

enforcement. Sen. Jeff Merkley's claim, which came as a monster hurricane barreled toward the Carolinas, was quickly branded by Homeland Security as "a sorry attempt to push a false agenda." The Oregon senator said the administration took \$9.8 million from the Federal Emergency Management Agency's "response and recovery" and put it in the coffers of U.S. Immigration and Customs Enforcement. He based his claim on a 39-page Department of Homeland Security transfer and reprogramming report dated Aug. 31.

The report shows that funds came from FEMA's "operations and support" budget and went to fund ICE functions including detention beds and transportation and removals. DHS officials said the account supports FEMA headquarters operational expenses and cannot be used for disaster response. It came in under budget for expenses including travel, training and office supplies and money was moved. The claim sparked an emphatic denial from Homeland Security Department, which said the impact on FEMA's response and recovery efforts was zero. The agency's budget is more than \$15 billion. "Under no circumstances was any disaster relief funding transferred from FEMA to immigration enforcement efforts," DHS spokesman Tyler Houlton said. "This is a sorry attempt to push a false agenda at a time when the administration is focused on assisting millions on the East Coast facing a catastrophic disaster."

The [New York Times](#) [9/12/2018 11:57 AM, Ron Nixon, 25617K] reports that Houlton said that money transferred from FEMA could not have been used to pay for hurricane relief efforts because of "appropriation limitations." "DHS/FEMA stand fiscally and operationally ready to support current and future response and recovery needs," he said.

The [Sun Herald](#) [9/12/2018 5:38 PM, Bryan Lowry, 16K, MS] reports that immigration lobbyists are pitching a plan to pay for disaster relief by charging high-skilled workers from India and China a fee to obtain green cards. They're leaning hard on Rep. Kevin Yoder, R-Kansas, to help. He's the chairman of the subcommittee that helps decide how much money the Federal Emergency Management Agency, which supervises any disaster relief effort, can receive. Immigration activists are optimistic that Yoder will sign on to the idea of coupling the immigration legislation with disaster relief. Yoder is currently facing criticism from Democrats for his role in approving the transfer of \$10 million from FEMA to U.S. Immigration and Customs Enforcement. The money from FEMA was part of a larger transfer of funds to ICE, the agency that enforces immigration laws.

ICE says it won't arrest people seeking shelter from Hurricane Florence

[VICE](#) [9/12/2018 1:41 PM, Tess Owen] reports that more than a million residents of the Carolinas and Virginia are scrambling to evacuate their homes as Category 4 Hurricane Florence barrels toward the southeastern coastline. But for undocumented people in those areas, Florence carries a twofold threat. On one hand, the National Hurricane Center is warning of "life-threatening, catastrophic flash flooding," "life-threatening storm surge," and "damaging hurricane-force winds." On the other, evacuating carries a strong likelihood of coming into contact with law enforcement. And in the Trump era, that can often translate into a one-way ticket to ICE custody. None of the areas under evacuation order in North Carolina, South Carolina, or Virginia have "sanctuary" policies shielding undocumented residents from federal immigration enforcement. But ICE says that shouldn't stop people from evacuating to safety.

In a statement to VICE News, communications director for ICE's southern region said that people in the Carolinas and Virginia, which are under federal states of emergency, shouldn't

forgo evacuations for fear of getting picked up by ICE. "Our highest priority remains the preservation of life and safety," Bryan Cox said in a statement. "In consideration of these circumstances, there will be no immigration enforcement initiatives associated with evacuations or sheltering related to Florence, except in the event of a serious public safety threat." A spokesperson for Customs and Border Protection provided an identical statement. In a phone call, Cox doubled down on that message. "Bottom line is that we're not doing enforcement in that area given the seriousness of the storm. There is no caveat to that statement. We're even evacuating ICE personnel," Cox said. "No person should hesitate to evacuate the area for fear of enforcement or thinking that there will be some sort of presence at evacuation centers."

A scramble to help families left behind: The fallout of the Trump administration's immigration raids

[NBC News](#) [9/12/2018 11:05 AM, Daniella Silva, 3740K] reports in April, Immigration and Customs Enforcement raided a meatpacking plant in rural Tennessee, arresting 97 people. In June, 114 people were arrested at a gardening business in Ohio. And in the latest raid, last month in Sumner, Texas, ICE agents arrested 159 people at a trailer manufacturing company. As the Trump administration targets companies illegally employing immigrants in rural areas, national and state groups have scrambled to send resources to small towns where nonprofits and lawyers are quickly overwhelmed. In each case, they set up crisis centers in churches, provide pro bono legal aid or consultations, distribute donated items and seek to reassure frightened residents. Over the past several months, advocates say they've seen a pattern in ICE's workplace targets, which followed the Trump administration's pledge to step up arrests at companies accused of employing immigrants who are not authorized to work in the U.S. "They focus on small employers in rural communities where they expect to encounter less resistance," said Jessie Hahn, a labor and employment attorney with the National Immigration Law Center who worked on the response to the Tennessee raid in April. "Everyone involved will have less access to legal counsel and the ability to fight back." ICE did not immediately respond to a request for comment on the raid tactics.

Load Trail, the trailer manufacturer in Sumner, hit the government's radar when Homeland Security Investigations received information that the company may have knowingly hired people who were in the country illegally, some of whom may have been using fraudulent identification documents, according to a statement from ICE. On the day of the raid, ICE executed a search warrant at Load Trail, with more than 300 federal agents and other staff descending as helicopters circled overhead. Load Trail employee Dennis Perry told The Dallas News that agents "drew their guns and told everyone to hit the ground." At a news conference after the raid, Katrina W. Berger, special agent in charge of Homeland Security Investigations' Dallas office, called it a "big deal" and said it was "one of the larger worksite enforcement operations conducted at one site in the past 10 years." Berger added that the raid should serve as a warning to other employers: "You may have gotten away with it, but we're watching and we're coming," she said.

Exporting Murder: U.S. Deportations and the Spread of Violence

[The Crime Report](#) [9/12/2018 9:50 AM, Christian Ambrosius and David Leblang] reports that the humanitarian organization Doctors Without Borders recently published a report documenting the threats that drive 500,000 Central Americans away from their homes every year. The three countries of the so-called Northern Triangle – Honduras, El Salvador and

Guatemala – are among the most violent places on earth, with levels of violence that match the world's deadliest war zones. Many of those fleeing extreme violence in their homelands seek asylum in Mexico and the United States. According to the UN High Commissioner for Refugees, the number of refugees and asylum seekers from Northern Triangle countries has increased ten-fold since 2011. Notably, recent research by Michael Clemens of the Center for Global Development finds that the massive inflow of unaccompanied minors across the southern border of the U.S. since the summer of 2014 has been due, in large measure, to violence in their communities of origin.

Within a public discourse that often portrays refugees as a threat rather than victims who deserve help and compassion, one part of this story has largely been ignored: U.S. border control policy – notably the deportation of criminal offenders back to their countries of origin – has played a critical role in the spread of violence in Latin America. Although immigration rhetoric and policies have become increasingly hostile under the Trump presidency, it is fair to say that use of deportation is nothing new.

[NH] Deportation of Indonesian woman temporarily halted by court

[U.S. News & World Report](#) [9/12/2018 11:16 AM, Associated Press] reports a federal judge has temporarily halted the deportation of an Indonesian woman living in New Hampshire at least until he can rule on the legality of her detention. Etty Tham remains at the Strafford County House of Corrections where she has been held since May 27 when she was detained at an immigration checkpoint on Interstate 93. Foster's Daily Democrat reports Tham had been living in Portsmouth and had previously lived in Dover for many years. Tham entered the U.S. in 2000 or 2001 and overstayed a tourist visa. Tham's attorney challenged her detention, arguing she has no criminal record. The judge has continued the case to Oct. 18 when he can rule on the legality of Tham's detention.

[Fosters](#) [9/12/2018 4:15 PM, John Doyle, 18K, NH] reports that the daughter of a local Indonesian woman spoke out on Wednesday in support of her mother, an immigrant who has been held at the Strafford County House of Corrections since May. Silvia Parker said her mother, Etty Tham, was a victim of racial profiling when she was detained at an immigration checkpoint on Interstate 93 near Lincoln, about 90 miles south of the Canadian border. Tham recently won a temporary legal victory when a U.S. District Court judge halted her deportation order at least until he can rule on the legality of her federal detention. Tham remains in Immigration and Customs Enforcement custody at the county jail. In October 2010, she voluntarily submitted her name to ICE in exchange for what she understood as leniency when filing for asylum. In November 2011, Tham received a surrender letter from ICE stating that she was set to be deported on Feb. 9, 2012.

[PA] Undocumented immigrant accused of illegal re-entry into U.S. after deportation

[Pittsburgh Tribune Review](#) [9/12/2018 8:15 PM, Natasha Lindstrom, PA] reports an undocumented immigrant detained in Pittsburgh is accused of illegally re-entering the United States after deportation, federal prosecutors said Wednesday. Juan Moreno-Ortiz, formerly of Guatemala, was deported from the U.S. on Oct. 7, 2010, U.S. Attorney Scott W. Brady said. Authorities found Moreno-Ortiz again in the U.S. on June 6, according to a one-count indictment returned by a federal grand jury in Pittsburgh. If convicted, Moreno-Ortiz could face a maximum sentence of up to two years in prison, a \$250,000 fine or both. Officials with Homeland Security and Immigration and Customs Enforcement led the investigation.

[TN] Meatpacking plant owner pleads guilty after immigration raid

[Washington Post](#) [9/12/2018 6:44 PM, Associated Press] reports the owner of a Tennessee meatpacking plant where a federal immigration raid took more than 100 people into custody faces prison time after pleading guilty to employing unauthorized immigrants. The U.S. attorney's office in Greeneville says 61-year-old James Brantley pleaded guilty Wednesday to tax fraud, wire fraud, and employment of unauthorized illegal aliens. Brantley owns Southeastern Provision meatpacking plant in Bean Station. Federal prosecutors say a raid of the business in April found at least 104 unauthorized immigrants working there. Brantley had reported he had 44 wage-earning employees to the Internal Revenue Service. Court records show Brantley dodged nearly \$1.3 million in federal payroll taxes over the past decade and he underpaid employees for overtime work. Brantley faces up to 20 years in prison or more at sentencing Feb. 4.

[Knox News](#) [9/12/2018 3:47 PM, Matt Lakin, TN] reports that whatever punishment James Brantley faces for hiring undocumented immigrants, he'll get to stay in the U.S. He'll remain free on bond until sentencing. The men and women who worked for him can't say the same. "I can't help but note the irony," U.S. District Judge Ronnie Greer said Wednesday. "Many of these people were held without bond. Most of them have already served a period of four to six months in jail they most likely would not have served."

Brantley, 61, hired undocumented workers for years as the owner of the Southeastern Provision slaughterhouse in Bean Station until federal agents raided the plant this spring in the country's largest immigration raid in a decade. He pleaded guilty Wednesday to federal charges of tax evasion, wire fraud and employing unauthorized immigrants. Brantley said little during his court appearance besides an occasional "Yes, sir," and "No, sir." He'll return to court for sentencing Feb. 4. U.S. Immigration and Customs Enforcement agents and IRS investigators raided the Southeastern Provision plant on Helton Road the morning of April 5 and rounded up 97 men and women on charges of illegal entry to the U.S. Most of the workers, natives of Mexico and Guatemala, had been living and raising families in the U.S. for a decade or more.

Reported similarly:

[The Daily Caller](#) [9/12/2018 7:23 PM, Neetu Chandak, 984K, DC]

[WCYB-TV](#) [9/12/2018 5:37 PM, Staff, 20K, VA]

[ABC 6 WATE](#) [9/12/2018 4:04 PM, Staff, 36K, TN]

[AR] ICE raids business in Alma

[40/29 News](#) [9/12/2018 4:25 PM, Adam Roberts, 18K, AR] reports that agents with U.S. Immigration and Customs Enforcement conducted a raid at the Bryant Preserving Company in Alma on Wednesday as part of a federal criminal investigation, Bryan Cox, ICE spokesperson, told 40/29 News. The agents found approximately 24 undocumented workers during the raid, Cox said. "The workers will be evaluated on a case-by-case basis to see who will be released and who will not", Cox said. Some of them had been released from custody as of 3 p.m.

A spokesperson for Bryant Preserving Company told 40/29 several of its plant employees were accused of document and identity fraud during the investigation. "We follow all mandated verification procedures and also use E-Verify – a federal web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States," the spokesperson said. Company spokesperson said Bryant is not a subject of the

investigation and is cooperating fully. The ICE spokesperson said he would not comment on whether Bryant is under investigation or not.

Reported similarly: [North West Arkansas Times](#) [9/13/2018 3:12 AM, Dave Hughes, 9K, AR]

[MI] Suspects, victim in Sanilac County homicide are undocumented immigrants

[Bay City Times](#) [9/12/2018 8:21 AM, Cole Waterman, 591K, MI] reports that two siblings facing a murder charge in the death of a woman they worked with on a Sanilac County dairy farm were in the country illegally. So too was their victim. Khaalid H. Walls, an official with the U.S. Immigration and Customs Enforcement, confirmed that Leobardo Torres-Castillo, 20, and Francisca Vargas-Castillo, 33, are citizens of Mexico and undocumented immigrants in the U.S. The woman officials allege the two killed, 42-year-old Bricia Flores-Rivera, was also a Mexican citizen and in the U.S. illegally, Walls confirmed. Torres-Castillo and Vargas-Castillo, who are brother and sister, were arraigned Sept. 3 in Sanilac County District Court on charges of open murder and concealing the death of an individual. Open murder contains both first- and second-degree murder. Walls added that once the case is resolved, Torres-Castillo and Vargas-Castillo will be placed in removal proceedings. Walls added that should the defendants be convicted and be sentenced to life imprisonment, they will serve those terms.

[MI] Kildee introduces private bill to protect deaf man asked to leave U.S. "voluntarily"

[Michigan Radio](#) [9/12/2018 1:41 PM, Sarah Cwiek, MI] reports that U.S. Immigration and Customs Enforcement will allow a deaf, cognitively-disabled Detroit man to "make arrangements to depart the U.S. voluntarily," the agency said Wednesday. Francis Anwana faced an initial deportation deadline Tuesday. But ICE backed off that deadline after pushback from Anwana's advocates and at least one member of Congress. U.S. Rep. Dan Kildee (D-Flint) introduced what's known as a private bill to protect Anwana from deportation Wednesday. Such private bills give Congress authority to grant permanent legal U.S. residency to specific individuals.

Anwana has been living in Michigan since he was a teenager. In 1987, family members with ties to the Lutheran Church brought him to Michigan on a student visa to attend church-sponsored schools for the deaf. ICE says he's been in the country illegally since that student visa expired. Throughout his time in the U.S., Anwana's supporters have attempted to gain him asylum or some form of legal status, but all of those efforts were shot down. In 2008, a judge ordered Anwana removed from the country, but he was instead placed under an order of supervision because ICE was unable to obtain the proper paperwork from Nigeria. Anwana's last hope may therefore lie with Kildee's bill. Kildee met with Detroit ICE officials about Anwana's case last week, and urged the agency to use its "discretion to consider Anwana's unique case." ICE refused comment Wednesday on any details of its plans for Anwana, including any potential deadline for self-deportation, saying that "for operational security reasons, we don't discuss specific removal arrangements prior to an individual's successful repatriation."

The [Detroit Free Press](#) [9/12/2018 8:31 PM, Niraj Warikoo, MI] reports that a dozen years ago, he filed for asylum, but was denied. Last week on Sept. 6, he was told he had to leave on Sept. 11, giving him just a few days to leave for a country he hasn't lived in since he was 13. ICE halted the departure, but said he still has to leave the U.S. voluntarily. In 2008, an

immigration judge with the Department of Justice's Executive Office for Immigration Review ordered Anwana to be removed from the U.S.

Reported similarly: [ABC 12 WJRT](#) [9/12/2018 1:17 PM, ABC12 News Team, 19K, MI]

[IN] Indiana: ACLU and Marion County Sheriff cut a deal to stop detaining illegals, including Antonio Lopez-Aguilar

[Global Dispatch](#) [9/12/2018 3:04 PM, Staff] reports a federal appellate court just heard oral arguments involving an outrageous backdoor deal in which a county sheriff promises a leftwing civil rights group to stop detaining illegal immigrants. The case comes out of Marion County Indiana where an illegal alien, Antonio Lopez-Aguilar, was arrested by local law enforcement after a traffic court hearing in Indianapolis. At the time the Marion County Sheriff's Office had an agreement with Immigration and Customs Enforcement (ICE) to hold suspects in the U.S. illegally like Lopez-Aguilar until federal officers pick them up for processing. The American Civil Liberties Union (ACLU) sued the Marion County Sheriff to end the local-federal detainer policy that is practiced by law enforcement agencies nationwide and has led to the removal of countless violent criminals living in the country illegally. The ACLU asserts that ICE uses the detainers to "bully local authorities into imprisoning immigrants, many of whom have done nothing wrong, and funneling them into deportation proceedings."

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS

(b)(7)(E)

Friday, Sept. 14, 2018

Executive Office for Immigration Review

Advocates worry about 'assembly-line justice' as video replaces some court hearings 2

Policy and Legislative News

Trump administration draws fire for 'misleading' report linking terrorism, immigration..... 2

Trump Administration Agrees to New Asylum Interviews for Up to 1,000 Migrants 3

Dems demand Sessions restore asylum for victims of violence..... 4

Most asylum seekers do show up for court dates, contrary to claims from Trump admin 5

Number Of Christian Refugees Admitted To The U.S. Falls Over 40% Under Trump 5

How Trump has sunk the hopes of refugees 5

Family Apprehensions Surge in August6

The Case for Reuniting "Ineligible" Families Separated at the Border 7

Shelters For Immigrant Teens Expanded As Record Numbers Continue To Cross 8

Why Unaccompanied Minors are Staying Longer in Shelters..... 8

Trump administration is holding at least 12,800 children in immigration detention facilities 8

Trump Deputies Cut Federal Support to Child-Smuggling Networks 9

ICE wants extra \$1 billion to fund deportations under Trump: report..... 9

US plans to pay \$20 million to help Mexico deport migrants 9

"Abolish ICE" Is a Dangerous Distraction from Real Immigration Reform 10

Gillibrand: I Never Meant Abolish ICE When I Said 'Abolish ICE' 10

[NY] NYC Council Passes 'Abolish ICE' Resolution after ICE removes 16 sexual offender criminal aliens from the city ... 10

[GA] Atlanta late to join 'sanctuary city' resistance..... 11

[FL] Citizen activist reveals true conditions for kids in ICE detention..... 11

[AZ] More than 60 separated children remain in Arizona weeks after deadline to reunite families	12	[NY] Two undocumented immigrants arrested after Olean traffic stop	14
[CA] Bay Area transit agency sent 57,000 license plates to ICE despite 'sanctuary' policy	12	[NJ] Court today for illegal immigrant charged with teen fatal stabbing	14
Legal News		[TN] Bean Station operator pleads guilty in investigation regarding illegal alien employees.....	14
Making Amends, Ex-Teen Terrorist Becomes US Citizen	13	[TN] Slaughterhouse Owner Owes \$1.4M For Immigration Violations.....	15
[TX] UW Law Students Travel To Texas To Represent Detained Families In Immigration Court.....	13	[AR] 28 Alma plant workers face deportation.....	15
Enforcement News		[MI] Disabled man from Nigeria threatened to be deported.....	16
ICE says it needs a \$1 billion funding boost to meet Trump's aggressive deportation goals.....	13	[TX] Man accused of fatally stabbing woman in San Antonio arrested in Nuevo Laredo	16

Executive Office for Immigration Review

Advocates worry about 'assembly-line justice' as video replaces some court hearings

[PRI](#) [9/13/2018 4:30 PM, Beth Fertig] reports that Angel Luis Bonilla and some friends were in a waiting room at the federal office building where immigrants in detention in or around New York are normally taken for court hearings. Bonilla and his buddies had come to support their friend Enrique, a 35-year-old undocumented immigrant from Mexico who was arrested in June. But Enrique didn't appear in person. Instead, he appeared on a video screen from Hudson, seven miles away, wearing his orange uniform. Hearings for immigrants in detention were always held in person at Varick Street. But in late June, after an especially large protest outside the building against the Trump Administration's immigration policies, ICE stopped transferring the detainees and switched to video teleconferencing. ICE spokesperson Khaalid Walls said certain groups were spreading misinformation and advocating violence against ICE employees. "This decision was made in order to ensure the safety of ICE employees, the court, the public and the detainees," he said. The Executive Office for Immigration Review (EOIR), which runs the immigration courts, described video teleconferencing on its website in 2009 as a way to save travel time for judges, allowing them to hear more cases. Ashley Tabaddor, president of the National Association of Immigration Judges, said her union believes the Trump administration is relying more heavily on video now to expedite cases at the border.

Policy and Legislative News

Trump administration draws fire for 'misleading' report linking terrorism, immigration

[Washington Post](#) [9/13/2018 8:00 AM, Ellen Nakashima] reports that 18 former counterterrorism officials are urging the departments of Justice and Homeland Security to retract or correct a report that implies a link between terrorism and immigration, calling its findings "misleading" and counterproductive. Released in January, the report says that 402

of the 549 people — almost three out of four — convicted of terrorism charges since the Sept. 11, 2001, terrorist attacks were foreign-born. That's a data point that President Trump has highlighted as justification for his administration's hard-line immigration policies — namely his desire to shift from a "random chain migration and lottery system, to one that is merit-based," as he has tweeted. But critics dubious of the report's conclusions have said it relies on irrelevant and, in some cases, flawed data.

Failure to correct the document is likely to undermine counterterrorism efforts by fueling misperceptions about the nature of radicalization and stoking societal divisions around immigration, according to a letter released Thursday by the former government officials, including former National Counterterrorism Center directors Nicholas Rasmussen and Matthew Olsen, former director of national intelligence James R. Clapper Jr. and former acting assistant attorney general for national security Mary McCord. Katie Waldman, a Department of Homeland Security spokeswoman, said the agency is "focused on anticipating terrorist trends and movements and, more importantly, blocking all terrorist pathways into the United States."

[VOA News](#) [9/13/2018 11:25 PM, Staff, 1094K, DC] reports that at issue is a report released in January by the Departments of Justice and Homeland Security that said three in four individuals convicted of international terrorism-related charges since the attacks of Sept. 11, 2001, were foreign born. A Justice Department spokeswoman declined to comment on the letter. Homeland security spokeswoman Katie Waldman said via email: "We cannot view counterterrorism through a pre-9/11 lens. The Department of Homeland Security uses historical data to inform its approach, but if we only look at what terrorists have done in the past, we will never be able to prevent future attacks. That is why, in addition to analyzing past terrorism activity, DHS is focused on anticipating terrorist trends and movements and blocking all terrorist pathways into the United States – whether it's online or on an airplane."

Trump Administration Agrees to New Asylum Interviews for Up to 1,000 Migrants

[New York Times](#) [9/13/2018 7:45 PM, Caitlin Dickerson, 25617K] reports acknowledging that the separation of migrant families along the southwest border may have compromised their right to seek asylum, the federal government has agreed to allow a second chance for up to 1,000 migrants who had been facing deportation. In a settlement announced Thursday, lawyers for the government said that parents whose children were taken from them under the administration's "zero-tolerance" border enforcement policy will again be able to make a case for asylum. They can also remain in the United States while their children pursue their own asylum cases. Lawyers for immigrants challenging the thousands of family separations carried out along the border this spring had argued that losing their children had left parents too distraught to adequately make a case for asylum status. The asylum process can be grueling, often requiring lengthy interviews and documentary evidence. As a result, the lawyers said, many of the parents' claims had been speedily denied. The Trump administration stopped separating families along the border in June, but by then, thousands of children had been taken from their parents under the "zero tolerance" policy, under which the government sought to criminally prosecute all migrants who entered the United States without permission. Since then, families that were separated under the policy have launched an onslaught of legal challenges over how it affected their legal rights and emotional well-being. This latest settlement, filed late Wednesday, applies to three of the ongoing cases that have been consolidated under Judge Dana M. Sabraw in San Diego. Judge Sabraw still needs to approve the agreement.

[Law 360](#) [9/13/2018 7:48 PM, Nicole Narea] reports that the settlement, submitted to a California federal court for approval, requires the federal government to re-evaluate initially rejected asylum petitions from parents in the U.S. who have been separated from their children. The parents will be able to submit additional evidence and testimony for their applications. "[U.S. Citizenship and Immigration Services] will exercise its discretionary authority to ... conduct in good faith a de novo review of the credible fear finding of the parent to determine if reconsideration of the negative determination is warranted," the agreement said. "USCIS will review the parent's case and the information provided and determine whether the individual has a credible fear of persecution or torture." The court had ordered the parties in August to determine whether parents who have already been deported can demand reunification with their children in the U.S. and whether they are allowed to pursue their asylum claims. Though the asylum issues in the cases have now been resolved, litigation challenging family separation will still proceed.

[NPR](#) [9/13/2018 3:51 PM, Joel Rose] reports that in some situations, parents whose asylum claims were rejected at the earliest stage — known as the credible fear interview — will get a chance to present new information. For about a thousand families, "it will get them another shot at seeking asylum," said Lee Gelernt, the deputy director of the ACLU's Immigrants' Rights Project, in an interview. The Department of Justice declined to comment on the proposed agreement.

Reported similarly:

[Washington Post](#) [9/13/2018 6:28 PM, Associated Press]

[The Hill](#) [9/13/2018 12:26 PM, Nathaniel Weixel]

[Bloomberg](#) [9/13/2018 12:13 PM, Patricia Hurtado]

[Huffington Post](#) [9/13/2018 9:52 AM, Reuters]

[NBC News](#) [9/13/2018 7:33 AM, Jacob Soboroff and Julia Ainsley]

[USA Today](#) [9/13/2018 11:28 AM, Alan Gomez, 8110K]

[U.S. News & World Report](#) [9/13/2018 9:10 AM, Tom Hals, 3594K]

[VOA News](#) [9/13/2018 12:15 PM, Staff, 1094K]

[National Review](#) [9/13/2018 3:28 PM, Mairead McArdle, 669K]

[UPI](#) [9/13/2018 12:04 PM, Ed Adamczyk, 303K]

[BuzzFeed](#) [9/13/2018 12:36 PM, Adolfo Flores, 11771K]

[Immigration Impact](#) [9/13/2018 5:42 PM, Aaron Reichlin-Melnick]

[The Daily Caller](#) [9/13/2018 12:18 PM, Will Racke, 984K, DC]

[ABC Action News](#) [9/13/2018 3:22 PM, Andrea Gonzales, 87K, FL]

[Courthouse News](#) [9/13/2018 11:50 AM, Bianca Bruno, CA]

[Times of San Diego](#) [9/13/2018 11:50 AM, Ken Stone, CA]

[San Diego Union Tribune](#) [9/13/2018 12:40 PM, Kristina Davis, 320K, CA]

[Daily Mail](#) [9/13/2018 4:19 PM, Valerie Bauman, UK]

Dems demand Sessions restore asylum for victims of violence

[The Hill](#) [9/13/2018 11:50 AM, Michael Burke] reports more than 100 House Democrats signed a letter this week urging Attorney General Jeff Sessions to reverse his decision to stop granting asylum to victims of gang violence and domestic abuse. Reps. Jim McGovern (D-Mass.), Mark Pocan (D-Wis.), Rosa DeLauro (D-Conn.) and Norma Torres (D-Calif.) led the call for Sessions to overturn his decision, writing that they are "deeply alarmed and outraged." "We are deeply alarmed and outraged over a series of actions taken by you, the Department of Justice and the Department of Homeland Security that undermine or curtail the ability of migrants lawfully requesting asylum in the United States to present their

claims," they wrote. Sessions announced in June that the Trump administration would no longer grant asylum to victims of gang violence and domestic abuse. "The mere fact that a country may have problems effectively policing certain crimes — such as domestic violence or gang violence — or that certain populations are more likely to be victims of crime, cannot itself establish an asylum claim," he said at the time. Additionally, the Trump administration last week took a step toward pulling out of a court agreement limiting the government's ability to hold children seeking asylum in detention centers, The Washington Post reported.

Most asylum seekers do show up for court dates, contrary to claims from Trump admin

[Daily Kos](#) [9/13/2018 3:21 PM, Gabe Ortiz] reports the Trump administration is trying to detain migrant families indefinitely based on a total lie. Officials are proposing to eviscerate standards protecting migrant kids under U.S. custody in order to keep them locked up for months, perhaps years, in part by claiming that "in many cases, families do not appear for immigration court hearings after being released"—except the facts say otherwise. "Overall, 86% of families released from immigration detention attended all of their court hearings, according to a study by the American Immigration Council that reviewed more than 18,000 immigration court hearings initiated between 2001 and 2016," BuzzFeed reports. "That percentage exceeded 90% when only families who'd filed asylum applications were considered." Parents have plenty of incentive to go to court—if they don't, they risk losing their chance at winning asylum. Legal access also makes a huge difference. "With a lawyer explaining the immigration court process," said law professor Ingrid Eagly, "I think people are more likely to understand what the process is and where and when they need to go."

Number Of Christian Refugees Admitted To The U.S. Falls Over 40% Under Trump

[Huffington Post](#) [9/13/2018 7:54 PM, Carol Kuruvilla] reports in his relentless push to cut the number of refugees admitted to the U.S., President Donald Trump has ended up hurting members of a group he once pledged to protect — Christians fleeing persecution in countries where they are unable to freely practice their faith. Early in his presidency, Trump promised his evangelical base that Christian refugees would be prioritized. Vice President Mike Pence, speaking at a summit organized by the Billy Graham Evangelistic Association last year, told the world's persecuted Christians, "We stand with you." And over the summer, the State Department made overtures illustrating its commitment to protecting persecuted minorities, organizing an international conference about the importance of religious freedom. And yet, the White House has made it harder for these persecuted minorities to find a safe haven on America's shores. According to State Department data, the number of Christian refugees admitted into the U.S. has declined dramatically since President Barack Obama left the White House. In the fiscal year 2016, which ended on Sept. 30, 2016, while Obama was still in power, the U.S. admitted about 37,500 Christian refugees. In the fiscal year 2017, the number of resettled Christian refugees dipped to around 25,200. And so far in the fiscal year 2018, which ends Sept. 30, the number of resettled Christian refugees is closer to 14,600. Between fiscal years 2017 and 2018, the number of resettled Christian refugees declined about 40 percent. Compared to 2016, under Obama, this year's number represents a cut of about 60 percent.

How Trump has sunk the hopes of refugees

[Washington Post](#) [9/14/2018 12:59 AM, Ishaan Tharoor, 11614K] reports historically, the United States has been the most welcoming nation on the planet for refugees. Since the adoption of the 1980 U.S. Refugee Act, it has taken in around 3 million of the more than 4

million refugees who have been resettled around the world. President Trump has made the denigration of refugees a core theme of his presidency, and his administration has all but barred the gates to foreigners seeking refuge in America. According to studies released earlier this summer, 2017 marked the first year in almost four decades when the United States took in fewer refugees than the rest of the world. While Washington still accepted more refugees than any single nation, that number dropped to 33,000 from about 97,000 the year before. Numerous politicians, aid organizations and rights advocates warn that Trump is unraveling the country's resettlement system. An investigation published this week by Reuters news agency, based on interviews with more than 20 current and former U.S. officials, found that "the administration has rejected internal findings that refugees could be admitted safely and with little expense," and has frozen out dissenting voices.

A 2017 report by the Department of Health and Human Services – one the administration tried to suppress – found that refugees brought in \$63 billion more in government revenue than they cost to resettle. According to Reuters, White House officials were also dismayed when a review of vetting procedures carried out last year "concluded refugees from all countries could be safely allowed to enter" with a few tweaks to the system. Instead, the administration touted a report claiming that terrorism was heavily linked to immigration; the "misleading" report was later savaged in a court filing by a group of former counterterrorism officials. "From a purely economic or security perspective, resettlement is not an issue that warrants topping even an immigration skeptic's priority list," noted a new report from the International Crisis Group. "Resettled refugees tend to be solid contributors to the economy over the medium and long term. They do not come in sufficient numbers to generate meaningful job competition for existing American workers. And notwithstanding a handful of sensationalized cases and the reality that no form of immigration will ever be zero-risk, the program is too rigorously scrutinized to be a preferred channel for would-be security threats."

Family Apprehensions Surge in August

[Center For Immigration Studies](#) [9/13/2018 11:50 AM, Andrew R. Arthur] reports Yesterday I discussed a notice of proposed rulemaking (NPRM) on "Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children". As I explained, if adopted, the regulations therein would make it easier for the Department of Homeland Security (DHS) to maintain custody of family units, that is, parents or guardians entering illegally with children. The most recent statistics from U.S. Customs and Border Protection (CBP) explain why that rule is so necessary. Every month, CBP publishes "Southwest Border Apprehensions", which provides a monthly total of aliens apprehended entering the United States illegally, or deemed inadmissible at the ports of entry along the Southwest border. In July 2018, 9,247 aliens traveling in family units were apprehended along that border. As my colleague Preston Huennekens has reported, One month later, that number jumped to 12,774, a 38-percent increase in just 31 days.

The Wall Street Journal reported that: "Total family apprehensions since October, the beginning of the federal fiscal year, is already higher than for any complete prior fiscal year for which data is available." It quoted CBP Commissioner Kevin McAleenan, who asserted that the increase was a "very direct response to the vulnerabilities" in the immigration laws. Summarizing McAleenan's statements, the paper reported "the government has little ability to deter immigrant families and children traveling alone from crossing the border illegally." The Journal noted that the president has been "struggling to curb the flow of illegal border crossers, particularly families, in recent months." A key element of the administration's

attempts to curb that flow was in its "zero-tolerance" policy for prosecuting aliens who have entered the United States illegally under section 275 (a) of the Immigration and Nationality Act (INA). That policy, which resulted in the separation of parents and children, had to be abandoned after a public backlash. I explained in a July 2018 post, this section of the INA does not provide an exception for prosecution of aliens who enter the United States with children, but DHS and the Department of Justice (DOJ) traditionally did not prosecute such aliens as a matter of policy. That was reversed on April 6, 2018, when Attorney General Jeff Sessions announced a "Zero-Tolerance Policy for Criminal Illegal Entry".

[FOX News](#) [9/13/2018 5:30 PM, William Lajeunesse, 11653K] reports that an alarming new report from the Department of Homeland Security shows the number of families crossing into the U.S. illegally surged last month. The agency said illegal immigrants have been taking advantage of a legal loophole that requires "family units" to be released once they are caught. "These numbers are a result of our failure to do what is necessary to control the border," said Mark Krikorian, executive director of the right-leaning Center for Immigration Studies. As a result, Customs and Border Protection sources say, immigrants see an opportunity to exploit gridlock in Washington and get in while the administration tries to figure out its next step.

The [Insider](#) [9/13/2018 3:16 PM, Michelle Mark and Shayanne Gal, 1004K] reports the number of immigrant families arrested after crossing the US-Mexico border has surged just months after President Donald Trump reversed his policy of separating immigrant parents from their children, new Customs and Border Protection data show. Officials arrested 12,774 family units in August — a 38% increase from July — making it the highest August on record. Though the cause for the spike is unclear, officials have speculated that the controversy over the 2,500 immigrant families separated by the Trump administration played a role. "There are no consequences to being apprehended, in fact they are seeking to be apprehended to start their processing of being allowed into the country and start their court process," CBP Commissioner Kevin McAleenan said Wednesday. "Smugglers and traffickers understand our broken immigration laws better than most and know that if a family unit illegally enters the US they are likely to be released into the interior," Homeland Security press secretary Tyler Houlton said in a statement. Border Patrol agents told the Washington Post they've seen a noticeable increase in the number of families seeking asylum at the border. The Trump administration has also urged Congress to enact reforms that would close what it calls "loopholes" in immigration law, which Trump and his allies argue prevent authorities from quickly deporting immigrants. The Department of Homeland Security has even made regulatory moves to make it easier to detain and deport families — last week, DHS proposed a rule that would allow authorities to detain children with their parents indefinitely, terminating a longstanding legal agreement that governs the way young immigrants are treated.

The Case for Reuniting "Ineligible" Families Separated at the Border

[The New Yorker](#) [9/13/2018 11:32 AM, Jonathan Blitzer, 2547K] reports that 300 parents have already been deported without their children, and dozens of others, who are currently in federal custody, have been barred from seeing their children because of what the Administration is calling "red flags." These cases, the government claims, involve some form of criminal activity — a past conviction for driving while intoxicated, charges for assault, an outstanding foreign warrant — and, as a result, the parents are ineligible for reunification.

Immigrants-rights advocates have argued that the government is making eligibility

determinations based on nebulous evidence. On Thursday, that will change: attorneys from the A.C.L.U. and the Department of Justice are expected to brief Sabraw on two parents who've been deemed ineligible to be with their children, the first of some thirty cases that the A.C.L.U. may contest in the coming weeks, according to Lee Gelernt, the group's lead attorney.

Shelters For Immigrant Teens Expanded As Record Numbers Continue To Cross

[NPR](#) [9/13/2018 5:44 PM, Staff] reports that just this week, a federally contracted tent camp on the U.S.-Mexico border in the barren desert near Tornillo, Texas, announced it is expanding from 1,200 to 3,800 beds. Shelters for minors are, by far, the most expensive type of immigration custody provided by the U.S. government. Detaining a mother and child runs in the range of \$320 a day in what Homeland Security calls a "family residential center"; beds for unaccompanied children exceed \$600 a day, when security, education, counseling, medical care and recreation are factored in. HHS is overwhelmed with immigrant teens for two reasons. First, new figures released Monday by Customs and Border Protection show the flow of unaccompanied minors crossing the border continues unabated. Second, there is a bottleneck in releasing the children from the shelter system to go live with sponsors.

[NPR](#) [9/13/2018 4:25 AM, John Burnett] further reports the government is running out of shelter space to put teenaged immigrants from Central America who are in its care, complicating the picture of how to handle unauthorized immigrants seeking asylum.

Why Unaccompanied Minors are Staying Longer in Shelters

[WNYC](#) [9/13/2018 4:59 PM, Beth Fertig, 122K, NY] reports on Thursday, the New York Times reported that almost 13,000 unaccompanied minors were in federally-contracted shelters — a big increase since last year. Unaccompanied minors are typically from poverty-stricken Central American countries, like Honduras and Guatemala, that are notorious for gang violence. The children come to the U.S. without their parents, though they may be joined by other adults or siblings. Once they arrive, they're processed and sent to shelters until they can join a parent or relative who's already in the U.S., and then pursue a case in immigration court. But in June, the Trump administration increased the vetting process for those potential sponsors. The administration said these steps were intended to protect children from traffickers. But Anthony Enriquez, director of the unaccompanied minors program at Catholic Charities Community Services in New York, told WNYC these background checks are onerous. They include fingerprinting all adults in the household, and the information can be shared with Immigration and Customs Enforcement (ICE). "We were very concerned that it would be more difficult for sponsors to be approved," he said. "That sponsors would have more fear of stepping forward and that children, consequently, would be spending longer times in detention." That fear seems to have been well founded. According to federal data, provided by the Office of Refugee Resettlement, more than 42,000 children were placed with sponsors across the U.S. between October, 2016 and September, 2017. But fewer than 30,000 children were placed with sponsors between last October and July of this year. That's two months short of a full year but it's still a drop of more than 12,000 placements.

Trump administration is holding at least 12,800 children in immigration detention facilities

[ThinkProgress](#) [9/13/2018 10:40 AM, Melanie Schmitz, 799K] reports that the number of immigrant children held in detention facilities in the United States has skyrocketed over the past year, according to a New York Times report published Thursday. The report cites "data collected by the Department of Health and Human Services" and was shared with members of Congress, who then gave the information to the Times. It reveals the Trump administration is currently holding at least 12,800 immigrant minors in various detention facilities across the country. The teens are mostly being held in "a system of more than 100 shelters" with a heavy concentration along the U.S.-Mexico border. Many detention facilities are nearing 100 percent capacity. According to the Times, those same shelters were only around 30 percent full at this point last year.

Reported similarly: [Common Dreams](#) [9/13/2018 10:30 AM, Julia Conley, 215K]

Trump Deputies Cut Federal Support to Child-Smuggling Networks

[Breitbart](#) [9/13/2018 11:26 AM, Neil Munro, 2213K] reports that President Donald Trump's deputies are shrinking federal cooperation with the smuggling networks which transport Central American children and youths to their illegal-immigrant parents in the United States. The Trump policy narrows President Barack Obama's policy of allowing illegal-immigrant parents in the United States to use the Department of Health and Human Services as a pick-up service for their smuggled "Unaccompanied Alien Children." The smugglers are paid by the illegals to deliver the children and youths to U.S. border agencies, which then give them to the HHS agency for delivery to "sponsors," most of whom are illegal-immigrant parents. The HHS agency has handed off more than 180,000 children and youths since late 2013 to "sponsors." HHS officials are now asking the "sponsors" to properly identify themselves. That identification process would ease deportation by Trump's stepped-up enforcement measures, so it is deterring illegal-alien parents from picking up their children at the HHS centers.

ICE wants extra \$1 billion to fund deportations under Trump: report

[The Hill](#) [9/13/2018 8:22 PM, Justin Wise, 3846K] reports Immigration and Customs Enforcement reportedly asked for an additional \$1 billion in order to help the agency meet deportation requirements under the Trump administration, according to a budget document obtained by The Washington Post. The newspaper reported on Thursday that the agency had asked Congress to include the funds in a stopgap spending measure last month. After Republican and Democratic leaders agreed to postpone a fight on President Trump's long-sought border wall with a series of spending bills, ICE reportedly made the request again, according to The Post. The deal struck between Republican and Democratic lawmakers will keep the government open through spending bills that include a "continuing resolution" that fund federal agencies until Dec. 7. The Post noted that ICE asked Congress to place the \$1 billion in funding in the continuing resolution. "If the Congress approves the request, ICE would have the funding for operations necessary to support and increase staffing and operations as the DHS secretary determines to be appropriate," Katie Waldman, a spokesperson for Department of Homeland Security said in a statement. The Post reported that ICE officials said in their funding request that they expect to deport more than 253,000 immigrants in the next fiscal year, which would be the highest target for the agency since 2014. The Obama administration deported more than 300,000 people that year, The Post reported.

US plans to pay \$20 million to help Mexico deport migrants

[CNN](#) [9/13/2018 9:59 PM, Catherine E. Shoichet] reports that the US government plans to pay millions of dollars to help Mexico deport thousands of migrants who have entered the country hoping to reach the United States. The funding would be transferred from the State Department to the Department of Homeland Security as part of a "migrant removals pilot" that could result in the deportation of up to 17,000 people from Mexico, the notification said. Under the program, Mexican authorities would be responsible for interdiction, detention, asylum adjudication and other immigration proceedings in accordance with Mexican and international law, the notification says. The new funding, which was first reported in The New York Times, comes a day after Mexico's foreign minister met with Homeland Security Secretary Kirstjen Nielsen and a day after officials released the latest statistics on illegal crossings at the US-Mexico border. "Secretary Nielsen has been engaging with Mexico on a regular basis, and this proposal is part of multi-faceted effort to address the crisis at our Southern border," Department of Homeland Security spokeswoman Katie Waldman said in a statement.

Reported similarly: [Washington Post](#) [9/13/2018 8:57 PM, Associated Press]

"Abolish ICE" Is a Dangerous Distraction from Real Immigration Reform

[Just Security](#) [9/13/2018 9:05 AM, Darren E. Tromblay] reports that Immigration and Customs Enforcement has become a political lightning rod in recent months. Out of the debate surrounding ICE and the Trump administration's immigration policies come two separate issues that need to be addressed. First, are today's immigration policies legal and sufficiently humane? There is a broad consensus, among elements of both the Left and the Right that the immigration process is broken, and has been for some time. I see a second issue: ensuring that the U.S. government continues to function, and that it can fairly and consistently implement policies, regardless of which political faction happens to be in office. Without this assurance, policy has little practical meaning.

The "Abolish ICE" movement muddies the waters by conflating these two issues, and in turn, risks weakening its own case on Election Day. It blames what is supposed to be an apolitical bureaucracy – ICE – for policies over which that agency has no control. Focusing outrage on ICE will not bring about fundamental changes to underlying policies but merely impede a government agency, through its civil servants, from doing its job. Furthermore, attacking ICE, rather than the policies which ICE – or whatever agency might replace it – is mandated to enforce contributes to a narrative that undermines confidence in the civil service that provides apolitical continuity and expertise as politics shift around it.

Gillibrand: I Never Meant Abolish ICE When I Said 'Abolish ICE'

[The Daily Caller](#) [9/13/2018 1:10 PM, Molly Prince, 984K, DC] reports that democratic Sen. Kirsten Gillibrand of New York stated Wednesday that her calls to abolish the Immigration and Customs Enforcement were misconstrued, claiming that despite saying "we need to abolish ICE," she believes America still needs an agency that will fulfill the goals that ICE was created to achieve. Claiming that the agency has strayed from its intended duties, Gillibrand argued that ICE in its current form should be eliminated, but that a new agency should replace it that will execute the same mission of enforcing U.S. immigration laws and investigating criminal activity of foreign nationals residing within the country.

[NY] NYC Council Passes 'Abolish ICE' Resolution after ICE removes 16 sexual offender criminal aliens from the city

[Conservative Daily News](#) [9/13/2018 10:47 AM, R. Mitchell] reports that the New York City Council passed a resolution Wednesday demanding the federal government abolish U.S. Immigration and Customs Enforcement just one day after the agency arrested 16 sexual predators, who were also aliens, in the city. The resolution, which passed in a voice vote, says, "ICE, under the direction of President [Donald] Trump, has demonstrated an inability to fulfil [sic] its duties without violating due process, human rights, transparency, public accountability, or an adherence to domestic and international law." In the course of Operation SOAR, ERO deportation officers apprehended 16 aliens with criminal histories related to sexual offenses.

The [Conservative Daily News](#) [9/13/2018 9:55 AM, R. Mitchell] reports additionally that ICE places detainers on individuals who have been arrested on local criminal charges and who are suspected of being deportable, so that ICE can take custody of that person when he or she is released from local custody. When law enforcement agencies fail to honor immigration detainers and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission. In years past, most of these criminal aliens would have been turned over to ICE by local authorities upon their release from jail based on ICE detainers. Now that many sanctuary cities, including New York City, do not honor ICE detainers, these individuals, who often have significant criminal histories, are released onto the street, presenting a potential public safety threat.

"Many of those arrested in this operation had been found guilty of inappropriate sexual behavior against a minor," said Thomas R. Decker, field office director for ERO New York. "Our communities are safer, our children are safer, from the efforts of the men and women of ICE. We have removed them from our city's streets and we will seek to remove them from the United States."

Reported similarly:

[PIX11](#) [9/13/2018 3:32 PM, Aliza Chasan, 87K, NY]

[Lohud](#) [9/13/2018 1:22 PM, Jorge Fitz-Gibbon, NY]

[Ossining Daily Voice](#) [9/13/2018 3:51 PM, Zak Failla, NY]

[New City Patch](#) [9/13/2018 3:51 PM, Lanning Taliaferro, NY]

[GA] Atlanta late to join 'sanctuary city' resistance

[One News Now](#) [9/13/2018 3:16 PM, Chad Groening, 24K] reports that The mayor of Atlanta is the latest illegal alien apologist to put American citizens at risk, an immigration watchdog group is warning. Mayor Keisha Lance Bottoms recently signed an executive order directing the Atlanta City Detention Center to stop accepting detainees of the U.S. Immigration and Customs Enforcement. Bottoms, who is serving her first term as mayor, called current national immigration policies "inhumane." Ira Mehlman, a spokesman for the Federation for American Immigration Reform, or FAIR, says the Atlanta mayor was elected to protect the people of Atlanta. "And what [Bottoms] is saying is her higher priority is to protect criminal aliens in Atlanta," Mehlman claims, "and if releasing them out on to the streets, and if it results in them committing other crimes, that's a price she's willing to pay."

[FL] Citizen activist reveals true conditions for kids in ICE detention

[Spero News](#) [9/13/2018 3:00 PM, Martin Barillas, 4K, TX] reports that conservative activist Candace Owens visited Broward County, Florida, to see how illegal aliens are faring at a detention facility managed by Immigration and Customs Enforcement. In a passionate

video, Owens said she had come with a film crew, adding: "I am touring the ICE immigration center in Florida ...YES children are being mistreated." Seeking to dispel the narrative being broadcast by progressives, Democrats, and immigration advocates, Owens of Turning Point USA began by saying, "I hope this is the most viral Periscope video that I do." Saying that she was "incensed, horrified and angry" by what she saw in the facility, Owens went on to describe the amenities being enjoyed by the illegal alien inmates. "Children are being mistreated in this country," Owens said. "They are not the children that are sent to ICE Immigration centers. They are the children in Chicago, in Baltimore, in Detroit. They are the children that are being ignored while the leftists drum up a bulls**t narrative that these immigration centers are somehow harming people." [Editorial note: consult source link for video]

[AZ] More than 60 separated children remain in Arizona weeks after deadline to reunite families

[AZ Central](#) [9/13/2018 7:22 AM, Daniel González, 665K, AZ] reports that it's been six weeks since a federal judge ordered the Trump administration to reunite all families separated at the border, but hundreds of children remain in government custody, including more than 60 children still living in Arizona shelters. What's more, it now appears increasingly likely that many of the separated children still in government custody may never be reunited because their parents intentionally or mistakenly waived their rights to reunification before being deported from the United States, advocates say. "The parents face a brutal decision of whether to bring their child back in face of potentially serious persecution or to leave a child in the United States to pursue asylum which may mean they never see their child again," said American Civil Liberties Union attorney Lee Gelernt, who led a class action lawsuit to halt family separations at the border. "It's a decision that no parent should have to face and one that hundreds of families are now agonizing over because of the government's family separation policy," Gelernt said.

[CA] Bay Area transit agency sent 57,000 license plates to ICE despite 'sanctuary' policy

[Sacramento Bee](#) [9/13/2018 10:54 AM, Don Sweeney, 587K, CA] reports that in June 2017, Bay Area Rapid Transit directors adopted a "Safe Transit" policy forbidding cooperation with federal immigration authorities, according to The Mercury News. But directors did not know security cameras at an Oakland, California, BART station had already sent photos of tens of thousands of passenger license plates to a database open to U.S. Immigration and Customs Enforcement agents, KTVU reported. The cameras, which BART directors had ordered shut off in April 2016, fed photos to the database from at least January 2017 until August 2017 – two months after directors adopted the policy forbidding such contact, The Mercury News reported. In all, more than 57,000 license plate photos were sent to the database, about 20,000 after June 2017, reported KPIX. A citizens coalition called Oakland Privacy made the discovery after filing an unrelated public records request, the station reported. ICE declined to say whether it had viewed the license plate photos, The Mercury News reported.

Reported similarly:

[The Mercury News](#) [9/13/2018 4:36 PM, Erin Baldassari, 1055K, CA]

[KGO San Francisco](#) [9/13/2018 8:29 AM, Matt Keller, 3K, CA]

[CBS San Francisco](#) [9/13/2018 3:55 PM, Staff, 123K, CA]

Legal News

Making Amends, Ex-Teen Terrorist Becomes US Citizen

[Courthouse News](#) [9/13/2018 3:40 PM, Adam Klasfeld, CA] reports many transformations paved the way for Mohammed Khalid to stand as an anti-extremism activist, seven years after becoming the youngest person prosecuted for terrorism offenses in the United States. A new one, conferred Thursday by the U.S. Court of Appeals for the Second Circuit, is from Pakistani to U.S. citizen. Reversing a judgment by the Department of Justice's Board of Immigration Appeals, the federal appeals court said that the pretrial detention of Khalid just shy of his 18th birthday did not remove him from his father's "physical custody." "As a result, Khalid is a U.S. citizen, and the Department of Homeland Security must terminate removal proceedings against him," U.S. Circuit Judge Christopher Droney wrote for a unanimous three-judge panel. "Khalid cooperated extensively with the government following his arrest," Judge Droney noted Thursday. "He met with federal investigators over twenty times and testified in grand jury proceedings for two investigations. The government acknowledged that 'Khalid's assistance advanced multiple national security investigations in important ways.'" The Department of Justice did not immediately respond to a request for comment.

The [New York Law Journal](#) [9/13/2018 3:00 PM, Colby Hamilton, NY] reports detention of a minor for a short period of time can't be used to argue against providing him citizenship that would have naturally occurred if he'd been living at home with his parents, the U.S. Court of Appeals for the Second Circuit ruled Thursday.

The panel, composed of Circuit Judges Dennis Jacobs, Peter Hall, and Christopher Droney, said a person held on support-for-terrorism charges he would later be found guilty of can't be denied his citizenship, even though he was in custody when his father became a citizen ahead of his 18th birthday. Despite the government's attempt to argue otherwise, the panel found that "a parent's physical custody of a child does not cease due to a child's brief, temporary separation from a parent."

Agreeing that the Board of Immigration Appeals had the power to deny a person's citizenship because they were separated from family at a key moment in the naturalization process "would likely produce unfortunate consequences for the citizenship of other [legal permanent resident] children facing different situations," the panel went on to find.

[TX] UW Law Students Travel To Texas To Represent Detained Families In Immigration Court

[Wisconsin Public Radio](#) [9/14/2018 6:15 AM, Chris Malina, WI] reports law students from the University of Wisconsin recently traveled to Texas, but this was no ordinary field trip. These students, along with their professor, were there to represent detained migrants in immigration court, many of whom are seeking asylum in the United States. We hear from the professor and one student about the experience. [Editorial note: consult source link for audio]

Enforcement News

ICE says it needs a \$1 billion funding boost to meet Trump's aggressive deportation goals

[Washington Post](#) [9/13/2018 7:40 PM, Maria Sacchetti, 11614K] reports that U.S. Immigration and Customs Enforcement is aggressively lobbying for an additional \$1 billion to boost deportations to their highest levels yet under President Trump, according to a budget document obtained by The Washington Post. The agency urged Congress last month to include the extra funds in a stopgap spending measure that lawmakers must pass to avoid a government shutdown when the new fiscal year starts Oct. 1. On Thursday, congressional leaders from both political parties agreed to postpone a fight over Trump's plan for building a border wall until after the November elections. The deal would keep the government open using a series of spending bills, including a "continuing resolution" that would fund federal agencies through Dec. 7. ICE asked Congress to include the \$1 billion increase in the continuing resolution. Katie Waldman, spokeswoman for the Department of Homeland Security spokeswoman, said the proposed \$1 billion increase mirrors the agency's \$8.2 billion budget request for fiscal 2019. "If the Congress approves the request, ICE would have the funding for operations necessary to support and increase staffing and operations as the DHS Secretary determines to be appropriate," Waldman said in a statement.

[NY] Two undocumented immigrants arrested after Olean traffic stop

[Buffalo News](#) [9/13/2018 8:29 AM, Keith McShea, 108K, NY] reports that two undocumented immigrants were arrested Wednesday morning following a traffic stop on Interstate 86 in Olean, according to the Cattaraugus County Sheriff's Office. After a car was stopped shortly after 9:20 a.m. on I-86 East for driving on the shoulder of the highway, deputies determined that the occupants of the car were "illegal aliens," the sheriff's office reported. Gerino Tapia Barrera, 37, and Augustin Barrera Rojas, 55, both of Mexico, were arrested and taken into custody by agents from the U.S. Border Patrol. A third individual was released as he had previously been arrested by the Border Patrol and was already in the immigration court system, deputies said.

[NJ] Court today for illegal immigrant charged with teen fatal stabbing

[News 12 New Jersey](#) [9/13/2018 6:56 AM, Staff, 34K, NJ] reports that the illegal immigrant charged with fatally stabbing a teenage girl in Long Branch is expected to appear in court today. Bryan Cordero-Castro, 20, of Long Branch, is an illegal immigrant from Guatemala, the Monmouth County Prosecutor's Office said. Family and friends gathered Wednesday night for a vigil at Cherry Street Park for 16-year-old Madison Wells. According to officials, they were called to the 200 block of Van Pelt Place Saturday around 10:45 p.m. where they found Wells had been stabbed. She was rushed to Monmouth Medical Center, where she was pronounced dead less than an hour later. If convicted, Cordero-Castro faces a minimum of 30 years in prison.

[TN] Bean Station operator pleads guilty in investigation regarding illegal alien employees

[Rogersville Review](#) [9/13/2018 10:14 AM, Staff, 1K, TN] reports that on Sept. 12, James Brantley, 61, of Bean Station, pleaded guilty before U.S. District Judge Ronnie Greer to tax fraud, wire fraud, and employment of unauthorized illegal aliens. Brantley is the owner of Southeastern Provision, LLC, a slaughterhouse and meatpacking plant located in Bean Station. "As ICE Homeland Security Investigations has stated repeatedly – this agency is equally focused in its worksite enforcement efforts on the foreign nationals who unlawfully seek employment as well as the employers who knowingly hire them. This case was a criminal investigation from day one, not simply an immigration enforcement action, and

today's guilty plea clearly illustrates HSI's dual focus on the issue," said ICE Homeland Security Investigations New Orleans Special Agent in Charge Jere T. Miles. "Tax fraud is an outrage to hard-working Americans directly harmed when criminals cheat their obligation to society by failing to pay their fair share, and the employment of illegal workers also poses a serious threat to public safety as the use of fraudulent identity documents exposes Americans to potential identity theft and other financial harm."

"Tax violations have been erroneously referred to as victimless crimes, but it's the honest law-abiding citizens that are harmed when someone tries to manipulate our nation's tax system for their personal gain," said Matthew D. Line, Special Agent in Charge. "Business owners like Mr. Brantley have a responsibility to withhold income taxes for their employees and then remit those taxes to the Internal Revenue Service. Failure to do so not only results in the loss of tax revenue to the United States government, but it also harms employees who lose future social security or Medicare benefits and creates an unfair business advantage over those employers who follow the law. Investigating cases of employment tax fraud is an investigative priority for IRS Criminal Investigation."

[TN] Slaughterhouse Owner Owes \$1.4M For Immigration Violations

[Law 360](#) [9/13/2018 5:12 PM, Tiffany Hu] reports the owner of a Tennessee slaughterhouse and meatpacking plant has agreed to pay more than \$1.4 million after pleading guilty to hiring unauthorized immigrants to work for him as part of a scheme to reduce tax obligations, according to the U.S. Department of Justice on Wednesday. James Brantley, who owns Southeastern Provision LLC in Bean Station, Tennessee, pled guilty to employing and underpaying unauthorized immigrants for a decade, which was only discovered after a federal raid in April found at least 104 immigrants illegally employed at the plant, as well as "voluminous documents" revealing his wire and tax fraud schemes. "The agents and prosecutors working on this case have diligently poured over the records and evidence since the raid to ensure that charging Mr. Brantley would result in bringing him to justice and ultimately his conviction," U.S. Attorney J. Douglas Overbey said in a statement. "With this guilty plea, that has been accomplished." "Tax fraud is an outrage to hardworking Americans directly harmed when criminals cheat their obligation to society by failing to pay their fair share, and the employment of illegal workers also poses a serious threat to public safety as the use of fraudulent identity documents exposes Americans to potential identity theft and other financial harm," Jere T. Miles, an agent with the U.S. Immigration and Customs Enforcement's investigative unit, said in a statement.

[AR] 28 Alma plant workers face deportation

[North West Arkansas Times](#) [9/13/2018 1:03 PM, Dave Hughes, 9K, AR] reports U.S. Immigration and Customs Enforcement initiated removal proceedings against 28 employees of an Alma food processing plant who the agency accused of being unlawfully in the United States, an agency spokesman said Thursday. Of the 28 Bryant Preserving Co. employees who were detained in a Homeland Security Investigations raid Wednesday, seven will remain in federal custody until they go before a judge in immigration court, ICE spokesman Bryan Cox said. They will be held at a detention facility in Louisiana. The seven were kept in custody after questioning by Homeland Security Investigations as part of a federal criminal investigation at the Bryant Preserving plant Wednesday morning, Cox said. The decision to detain the seven employees was based on the "totality of circumstances," he said. That included such things as whether the person was a flight risk, family circumstances, whether a woman was a nursing mother, prior removal and prior criminal history. Bryant Preserving

said in a statement several of the plant employees detained Wednesday were accused of document and identity fraud.

Removal cases that originate in Arkansas generally are heard at the Memphis Immigration Court, Amanda St Jean, regional public information officer for the Executive Office for Immigration Review, said in an email Thursday. St Jean said in the email the removal process begins when the Department of Homeland Security initiates the proceedings and serves an individual with a charging document, or notice to appear. The charging document is then filed with one of the Executive Office for Immigration Review courts. When the immigration court receives the charging document, it issues a notice of hearing so the individual can have an initial master calendar hearing before an immigration judge, St Jean wrote. In that hearing, the judge explains the individual's rights, the alleged immigration law violations and addresses representation. After one or more hearings, St Jean said, the judge will decide whether the person will be removed or allowed to stay in the country. That decision can be appealed by the government or the individual to the Board of Immigration Appeals, St Jean wrote.

Reported similarly:

[U.S. News & World Report](#) [9/13/2018 11:01 AM, Associated Press]

[Texarkana Gazette](#) [9/14/2018 2:03 AM, Staff, 7K, TX]

[MI] Disabled man from Nigeria threatened to be deported

[WLNS](#) [9/13/2018 6:34 PM, Dana Whyte, 12K, MI] reports that Francis Anwana came to the United States on a student visa with his father in 1983 from Nigeria, and now that he's no longer a student, U.S. Immigration and Customs Enforcement (ICE) is ordering him to leave the country. Now Anwana is 48 and communicates through sign language, but he's being threatened to be deported by ICE. ICE sent a statement to 6 News today saying: "Anwana violated the terms of his admission by remaining in the U.S. when he was no longer enrolled in school, which made him subject to removal."

[TX] Man accused of fatally stabbing woman in San Antonio arrested in Nuevo Laredo

[Laredo Morning Times](#) [9/13/2018 8:31 AM, César Rodriguez, 63K, TX] reports that a man wanted for fatally stabbing a woman in San Antonio last week has been arrested in Nuevo Laredo, Mexico, according to the Tamaulipas Department of Public Safety. San Antonio police said Ulises Maveth Rodriguez, 23, fatally stabbed Karla Ornelas, 23, on Sept. 5. Tamaulipas state police officers said they arrested Rodriguez on Tuesday for allegedly causing a disturbance in Colonia Progreso in the west side of the Sister City. Following his detention, Rodriguez claimed to be a U.S. citizen. Mexican authorities turned over Rodriguez to Immigration and Customs Enforcement, U.S. Customs and Border Protection and the U.S. Marshals at the Gateway to the Americas International Bridge.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Monday, Sept. 17, 2018

Executive Office for Immigration Review

AG Speech To Immigration Judges Endangers Due Process	2
Controversial Guantanamo judge joins Jeff Sessions in immigration judge ceremony	2

Policy and Legislative News

Trump moves to detain immigrant children with their parents	3
The simple reason more immigrant kids are in custody than ever before	3
Minor Offenses From Long Ago Are Keeping Dozens of Migrant Families Separated	4
Trumpism is fueled by one thing: Fear. 12,800 kids are paying a terrible price..	4
U.S. to 'get moving' on asylum cases of separated migrant families	5
Violence inflicted at home, asylum seekers find anguish as rights are abused in the U.S.	5
No More Refuge: Asylum Under Jeff Sessions	6
Kasich: Separating families at border 'hasn't worked'	6

Kavanaugh could tip the scales in favor of Trump's immigration policies	7
---	---

More refugees from Central America means fewer illegal entries at the border	7
--	---

[NY] City Council Votes to Abolish ICE; Resolution Supports Efforts to Shut Immigration Enforcers Down	7
--	---

[VA] Jail Board Debates Whether to Notify ICE Before Releasing Undocumented Prisoners	8
---	---

[TX] Zero Tolerance Lives On	8
------------------------------------	---

[CA] Trump administration's war on 'sanctuary' cities takes another hit as Los Angeles wins temporary injunction	9
--	---

[CA] In L.A. Case, Judge Rules Trump Admin Can't Tie Anti-Gang Grants to Immigration Enforcement	9
--	---

Legal News

As Family Detention Expands, Attys Look To Alternatives	10
---	----

Exclusive: Questions Over Closed Immigration Cases	10
--	----

ICE is ordering immigrants to appear in court, but the judges aren't expecting them	11
---	----

Salvadoran Mom, Still Separated from Her Son, Takes Legal Action to Demand Reunification	11	[OH] ACLU files habeas corpus petition for Haitian asylum seeker held in Geauga County Safety Center	13
[TX] Lawsuit claims Houston blocking facility for migrant kids	12	[MI] Official fights to stop deportation of deaf man.....	14
Enforcement News		[TX] Previous Deportee Accused of Raping Own Daughter Caught near Texas Border.....	14
ICE: No immigration enforcement in areas of hurricane shelters or evacuations	12	[TX] S.A. activist drops immigration fight and agrees to be deported.....	14
The Trump administration wants to deport so many people, ICE can't keep up	12	[AZ] Arizona Border Patrol Agents Spot 188 Migrants in 33 Hours	15
[MA] Newton family man deported to Guatemala	12	[NV] More people ending up in deportation proceedings for unpaid traffic tickets alone, lawyers say	15
[NY] Hudson Valley Illegal Immigrant Among Sex Offenders Busted By ICE	13	[WA] Immigrant Detainees On Hunger Strike In Tacoma Have Refused Food For 24 Days	16
[NJ] Illegal immigrant charged in stabbing death of 16-year-old girl, report says	13	[CA] Adelanto is getting its finances in order. Officials disagree on what they will find.	16
[KY] ICE finds illegal immigrant under false name in Louisville after deportation	13		

Executive Office for Immigration Review

AG Speech To Immigration Judges Endangers Due Process

[Law 360](#) [9/14/2018 2:32 PM, Kevin Curnin] reports Attorney General Jeff Sessions recently addressed 44 immigration judges newly hired by the U.S. Department of Justice. Speaking at their training session on Sept. 10, the most powerful lawyer in the country told the judges all they needed to know about judging: Do it my way. Furthermore, Sessions warned, beware of immigration lawyers, for they "work every day — like water seeping through an earthen dam — to get around the plain words" of the Immigration and Nationality Act. Speaking to the new judges as if they are now part of his special club, Sessions fallaciously warned that immigration lawyers do not have a duty to "uphold the integrity" of the law. According to Sessions, "That's our duty." Sessions' real message was plain: We made you judges not to apply law to facts neutrally, but to help this administration deal with an immigration problem. So much for impartial justice, our legal system's bedrock. While immigration judges are administrative hires within the Department of Justice, they are still autonomous judges who must impartially apply the law. It is plainly wrong for the AG to attempt to directly influence any judge to follow the administration's political script rather than his or her own judgment on a case-by-case basis.

Controversial Guantanamo judge joins Jeff Sessions in immigration judge ceremony

[McClatchy DC Bureau](#) [9/14/2018 11:24 PM, Carol Rosenberg] reports that Vance Spath, the former judge in Guantanamo's USS Cole case, could clearly be seen in civilian clothes at Attorney General Jeff Sessions' elbow in an event Monday in which Sessions welcomed "the largest class of immigration judges in history – 44 new immigration judges." Spath suspended pretrial hearings in February until a higher court reviews whether and what kind of contempt authority he could wield as a Guantanamo war court judge. After spotting the photo of Spath with Sessions, defense lawyers for the accused Cole bomber asked the U.S. Court of Appeals for Military Commissions Review to throw out all of Spath's rulings since he took the case in 2014.

Policy and Legislative News

Trump moves to detain immigrant children with their parents

[The Hill](#) [9/14/2018 7:00 AM, Nolan Rappaport, 3846K] reports that the furor over separating alien minors from detained parents has put President Trump in a difficult position. Alien families who are apprehended at or near the border after making an illegal entry are placed in expedited removal proceedings. Unless they request asylum and establish a credible fear of persecution, they will be summarily deported. The expedited removal process requires mandatory detention until the aliens are deported or see an immigration judge for an asylum hearing. If Trump keeps alien minors with their parents at a detention facility for more than 20 days, he may be in violation of the Flores Settlement Agreement. But if he removes them without their parents, he will be severely criticized for separating children from their parents. The Settlement Agreement allows the placement of alien minors at non-secure, state-licensed child-care facilities, but their parents can't go with them. According to the Congressional Research Service, there aren't any licensed state facilities for alien minors to stay at with their parents. That just leaves the option of releasing the entire family – but that would violate the mandatory detention provision – and Trump doesn't have the authority to disregard it.

Immigration advocates claim that this problem can be avoided by putting the families in regular removal proceedings before immigration judges instead of in expedited removal proceedings, but the immigration court cannot handle the cases it already has. The 330-judge immigration court had a backlog of 746,049 cases as of the end of July, which was 38 percent larger than when Trump took office. The average wait for a hearing is just shy of two years.

The simple reason more immigrant kids are in custody than ever before

[CNN](#) [9/14/2018 12:14 PM, Tal Kopan] reports that a record number of immigrant children are in U.S. custody, and it's likely because the Trump administration's policies are keeping them there. As of this week, there are 12,800 immigrant children being cared for by the Health and Human Services Department. That's the most ever, an HHS spokeswoman confirmed. In 2016, the monthly average of the number of children in care ranged from just over 4,000 to over 9,000. But that figure isn't the one that's raising eyebrows among experts. It's seen as a symptom of a bigger issue. According to an official with knowledge not cleared to speak publicly, the rate of children being released from HHS has plummeted substantially. At the same time, the average length of time children stay in custody is skyrocketing. The cause is likely moves by the Trump administration in its aggressive efforts to tighten immigration. Experts fear the result will transform a system created and designed to help put traumatized children on a path to stability into a way to punish them and send a

message.

The Trump administration last spring announced the ICE-HHS partnership to more heavily scrutinize adults who come forward, including fingerprinting. But former officials said there were already plenty of ways to screen for things like criminal records and history of abuse without including ICE and immigration status. In September 2017, then-ICE acting Director Tom Homan said at a public event that his agency would arrest undocumented people who came forward to care for the children, something previous administrations avoided. "You cannot hide in the shadows," Homan said at a Washington border security event, adding that parents should be "shoulder-to-shoulder" with their children in court. "We're going to put the parents in proceedings, immigration proceedings, at a minimum. ... Is that cruel? I don't think so."

Reported similarly:

[Independent Journal Review](#) [9/14/2018 9:53 AM, Lizzie Helmer, 117K]

[San Antonio Current](#) [9/14/2018 4:17 PM, Sanford Nowlin, 24K, TX]

[The Mercury News](#) [9/14/2018 6:52 AM, Jackie Speier, 1055K, CA]

Minor Offenses From Long Ago Are Keeping Dozens of Migrant Families Separated

[New York Times](#) [9/14/2018 4:42 PM, Miriam Jordan, 25617K] reports a court-imposed deadline for reuniting "tender-age" children separated from their parents at the border came and went long ago. A 3-year-old girl from El Salvador is going on her sixth month in a federal immigration shelter, one of dozens of migrant children stranded in the system because authorities have determined they cannot be returned to their parents. Jose Atilio Barrera Hernandez, who was taken into custody when he crossed into California with his daughter Marta in March, has been deemed "ineligible" to be released and regain custody of the girl, apparently because of two alcohol-related offenses that occurred more than a dozen years ago. While the government has complied with a federal judge's order to return most of the nearly 3,000 children taken from their parents as part of a clampdown on illegal border crossings earlier this year, federal authorities have deemed some parents, like Mr. Barrera, "ineligible" for reunification because they have a criminal history or have raised other "red flags." In some cases, parents have a record of child or sexual abuse. Immigrant advocates say that in many instances the crime is minor and has no bearing on the parent's ability to care for the child. Few of the cases, they say, would cause an American parent to forfeit the ability to care for a child. In July, a federally-appointed child advocate submitted letters to Immigration and Customs Enforcement, which is holding Mr. Barrera, and to the Office of Refugee Resettlement, which has custody of Marta, explaining that keeping the child apart from her father is likely to be "severely detrimental" to her in the long term. "He has not been convicted of anything that in any way puts into doubt his fitness as a father or would pose a danger to others should they be reunited, even if it is in a family detention center," said Mr. Loh, his lawyer, who sought support from California Senator Kamala Harris. In an Aug. 10 letter to Immigration and Customs Enforcement, the Democratic senator urged the agency to release Mr. Barrera and reunite him with his daughter. Immigration and Customs Enforcement responded in a letter that Mr. Barrera remained in detention "Due to DUI convictions. In addition, he had a conviction for illegal entry and multiple incidents of illegal entry."

Trumpism is fueled by one thing: Fear. 12,800 kids are paying a terrible price

[Philadelphia Inquirer](#) [9/16/2018 2:10 PM, Will Bunch, 150K, PA] reports that a big problem is that immigrant families who've sponsored kids — usually family members or others from their close-knit community — have stopped stepping forward to bring these kids into stable homes where they can go to school and live in a loving environment, without fear. And the reason sponsors aren't coming forward is that they're afraid of ICE looking into their immigration status, or at the status of their loved ones. Again, that's a feature, not a bug. In June, the Trump administration began demanding fingerprints not just from sponsors but others in their household.

U.S. to 'get moving' on asylum cases of separated migrant families

[Reuters](#) [9/14/2018 6:14 PM, Tom Hals, 5544K] reports that a U.S. government attorney told a federal judge on Friday the Trump administration would quickly begin to implement an agreement to reconsider asylum for hundreds of families who were separated at the U.S. border with Mexico. The government agreed this week to settle three lawsuits being overseen by Judge Dana Sabraw, a move that plaintiffs' attorneys said would allow more than 1,000 immigrant parents and their children to have their asylum claims reconsidered. "Our point of view is we can get moving on this," Scott Stewart, a Department of Justice attorney, told Sabraw during a hearing in San Diego. The lawsuits covered families separated under President Donald Trump's "zero-tolerance" policy aimed at discouraging illegal immigration. Trump abandoned the policy in June after global outcry over the detention of 2,600 children. The agreement gives parents and children a second chance to prove they had a "credible fear of persecution or torture" if sent back to their home countries.

[NPR](#) [9/14/2018 7:21 AM, Joel Rose] reports many families that were separated at the Southwest border may get a second chance to pursue asylum claims in the U.S. When immigration authorities separated families at the Southwest border this summer, they said they were trying to discourage more migrants from making the trek north. The Trump administration abandoned the family separation policy after an international outcry. Now, under an agreement announced yesterday, some of those families may get a second chance to stay in this country. [Editorial note: consult source link for audio]

Reported similarly:

[USA Today](#) [9/14/2018 9:04 PM, Sergio Bustos]

[Mother Jones](#) [9/14/2018 6:01 PM, Noah Lanard, 626K]

[Washington Monthly](#) [9/14/2018 6:00 AM, Nancy LeTourneau, DC]

[Houston Chronicle](#) [9/14/2018 1:00 AM, Lomi Kriel, 4331K, TX]

[San Diego Union-Tribune](#) [9/14/2018 7:40 PM, Kristina Davis, 320K, CA]

[NBC San Diego](#) [9/15/2018 4:20 PM, Brie Stimson and Erika Cervantes, 119K, CA]

[Times of San Diego](#) [9/14/2018 7:16 PM, Ken Stone, 23K, CA]

Violence inflicted at home, asylum seekers find anguish as rights are abused in the U.S.

[San Antonio Express-News](#) [9/15/2018 12:00 AM, Claudia Donoso, 184K, TX] reports that wars, violence and human rights abuses cause the displacement of people who cross borders, seeking safety in a country of asylum. Unfortunately, many women are among those who suffer further human rights violations while in the host country. As a host country, the United States is no exception to these violations. Gender-based violence in Central America has motivated women to flee and seek asylum in the United States. Two criminal

gangs, the Mara Salvatrucha, or MS-13, and the Calle 18 have terrorized families in the region. As a tactic to expand their control over territory, gang members show their masculinity by using rape, kidnapping, torture and sexual violence, predominantly against women and girls.

The exacerbated levels of crime against women and the weak intervention of Central American states have pushed women to seek safety in the United States, where they face additional human rights violations. President Donald Trump's administration policy of "zero tolerance" through U.S. Customs and Border Protection frequently deters asylum-seekers along the U.S. southern border and turns them away. In June, Attorney General Jeff Sessions issued a ruling instructing immigration judges to deny all asylum claims based on fear of domestic abuse or gang violence. This decision will leave many asylum-seekers who are victims of these forms of violence – in particular, women – unprotected and vulnerable to further human rights violations.

No More Refuge: Asylum Under Jeff Sessions

[Harvard Political Review](#) [9/16/2018 7:30 PM, Audrey Sheehy, MA] reports on June 11, Jeff Sessions ruled that those seeking asylum by citing fears of gang violence or domestic abuse will no longer be able to find refuge in the United States. This ruling was delivered in conjunction with an official revocation of asylum that was granted to a Salvadoran woman by an immigration appeals court in August 2014. Sessions' ruling will likely bar tens of thousands of applicants from receiving asylum over the next few years. Its effects are already taking a toll on immigrants who have been waiting in court lines for years. In nine simple bullet points, Sessions put a stronger burden of proof on immigrants who already have a challenging time providing convincing evidence and eradicated most routes to asylum for immigrants fleeing Central America. Although the debate on eligibility for asylum needs to be settled so that courts can award protected status consistently, Sessions is operating under a strict political agenda to bar immigrants from the United States under the guise of "enforcing the law." Historically, the United States has creatively interpreted the definition of asylum in order to pursue its own political interests; Sessions' ruling is no different. Instead of mending an outdated law that is failing to address the political problems facing the modern world, he is "interpreting" the law to serve his own political ends; he is awarding death sentences to innocent people.

Kasich: Separating families at border 'hasn't worked'

[The Hill](#) [9/14/2018 3:02 PM, John Bowden, 3846K] reports Ohio Gov. John Kasich (R) slammed on Friday over his administration's forced separations of migrant families suspected of entering illegally, and said that the policy has done little to deter illegal immigration. The former 2016 GOP primary contender on Friday sent a tweet referring to "real, hard data" reported by the Dallas Morning News showing that border crossings rose despite the controversial policy. "Here's real, hard data showing that separating families at the border hasn't worked," Kasich tweeted. "Now Washington must focus on finding real solutions that keep families together and fix our broken immigration system." The Dallas Morning News said that there had been a 38 percent increase in arrests of families for illegal border crossings in August, despite the Trump administration's zero tolerance immigration policy being in effect for several months. The report concluded that August 2018 was the highest August on record in a year that has already set records for arrests and detention of families along the U.S.-Mexico border. It cited statistics released earlier this week by the Department of Homeland Security.

Kavanaugh could tip the scales in favor of Trump's immigration policies

[Bangor Daily News](#) [9/16/2018 10:00 AM, Marpheen Chann and Leslie Silverstein, ME] reports as members of Portland's immigrant advocacy community, we find Judge Brett Kavanaugh's nomination to replace retiring Supreme Court Justice Anthony Kennedy deeply troubling. The Supreme Court serves as part of a system of checks and balances, and in many of its landmark cases, it has restrained both the executive and legislative branches when they overreached their constitutional limits. If Maine's senior senator, Susan Collins, votes to confirm Kavanaugh as a Supreme Court justice, we fear the scales will be tipped in favor of the Trump administration's unjust and inhumane immigration policies. In a memo, conservative supporters of Kavanaugh wrote: "The evidence demonstrates quite strongly that on the question of immigration, Judge Brett Kavanaugh is the candidate who will best reflect ... the priorities of the Trump Administration."

Indeed, Kavanaugh showed his true colors as it pertains to immigration and women's rights when he sought, as a judge on the U.S. Court of Appeals for the District of Columbia Circuit, to delay the decision of a detained undocumented immigrant teenager to end an unwanted pregnancy. Kavanaugh, who was on the three-judge panel that issued the initial decision, helped craft a ruling that stayed the young woman's private decision regarding her health and livelihood until a sponsor was found. In issuing that order, Kavanaugh ignored well-established precedent and the young woman's Fifth Amendment due process protections in a contorted effort to avoid constitutional concerns that simply were not present in the case. The question before the court was not a constitutional question of whether an undocumented teen has the right to an abortion. Supreme Court precedent is quite clear, and, in Kavanaugh's own words, it is "settled law" that a woman has the right to choose whether to keep or terminate a pregnancy. There is no permissible distinction based on immigration status.

More refugees from Central America means fewer illegal entries at the border

[The Hill](#) [9/14/2018 8:00 AM, Meryl Chertoff, 3846K] reports in the coming weeks, the Trump administration will decide the annual refugee admissions ceiling for fiscal year 2019. The decision involves not only the total number of refugees to admit, but from where to admit them. Absent from the administration's tough border security rhetoric is recognition that the number of refugees we admit, and where we admit them from, has a direct connection to the number of people showing up at the southern border to seek asylum. The reality is that one of the best ways to reduce the number of asylum-seekers crossing the southern border – legally at ports of entry, or illegally between them – is to increase the number of refugees we admit from Latin America and the Caribbean. First, it can maintain the current 45,000 refugee admissions ceiling for fiscal year 2019, or even increase that number, while working with sending countries in this hemisphere to stem the violence that is fueling the exodus north. Second, the Departments of Homeland Security and State should consider establishing permanent refugee/asylum officer positions inside the U.S. embassies in Guatemala, Honduras, and El Salvador – and maybe even Mexico.

[NY] City Council Votes to Abolish ICE; Resolution Supports Efforts to Shut Immigration Enforcers Down

[Brooklyn Reporter](#) [9/14/2018 3:20 PM, Paula Katinas, NY] reports that the New York City Council doesn't have the power to abolish U.S. Immigration and Customs Enforcement (ICE), but that didn't stop local lawmakers from taking a vote to get rid of the controversial federal agency. Councilmember Carlos Menchaca, a Democrat who represents Sunset

Park and Red Hook, and who is chairperson of the council's Committee on Immigration, was among the members voting in favor of a resolution sponsored by Manhattan Democratic Councilmember Helen Rosenthal to go on record as supporting efforts by Democrats in Congress to dismantle ICE.

The resolution has no teeth, since New York City would not be able to eliminate a federal law enforcement unit on its own. ICE, which was created by the Bush Administration in 2003, operates under the jurisdiction of the U.S. Department of Homeland Security. But councilmembers, who voted for the resolution on Sept. 12, said the city has a right and an obligation to take a stand on divisive issues of the day, particularly when they affect New Yorkers. ICE spokesperson Liz Johnson called efforts to target ICE dangerously misguided. "The recent calls to abolish ICE are dangerously misguided and overlook the vital work that ICE officers and special agents perform each day to keep communities safe. Instead of being insulted with politically-motivated attacks, the men and women of ICE should be praised for risking life and limb every day in the name of national security and public safety," Johnson said in a statement emailed to this newspaper by ICE.

[VA] Jail Board Debates Whether to Notify ICE Before Releasing Undocumented Prisoners

[WVTF](#) [9/14/2018 3:21 PM, Sandy Hausman, VA] reports the Albemarle-Charlottesville Jail Board has delayed a controversial decision on whether to notify ICE when undocumented prisoners are about to be released. The jail currently calls immigration, allowing the arrest and deportation of people who are sometimes innocent or guilty of minor offenses. The board is unlikely to end that practice despite receiving a petition with over 2,000 signatures opposing it. Most, like Chip Harding, see an obligation to cooperate with ICE. "It's a public safety issue," he explained. "There could be other information that immigration officials have on these folks. Even when you say a DUI or a drunk in public, if ICE officials knew they failed two times to show up for an immigration court hearing, or if they'd committed a homicide in Mexico, we wouldn't necessarily have that information." While the law does not require that ICE be notified when people are about to be freed from the jail, Albemarle's prosecutor Robert Tracci felt failing to do so was not in keeping with federal law. "I don't think it's anyone's right to substitute their own judgment for what the immigration laws ought to be with the clear and established body of law at the federal level," Tracci said.

[TX] Zero Tolerance Lives On

[Marshall Project](#) [9/14/2018 2:15 PM, Julia Preston] reports it's just a routine hearing in a federal court in Texas, but the courtroom is packed. Every bench is filled with defendants, squeezed in and barely able to move. They are migrants who were caught after they crossed the Rio Grande illegally, most of them only a day or two earlier. In this one hearing in the courthouse in McAllen there are 80 defendants. Judge Juan F. Alanis swears them in and they promise to tell the truth. Then, in an exercise of wholesale justice at lightning speed, each of them is charged with the crime of illegal entry and convicted and sentenced — all before lunchtime. These mass hearings, often with dozens of defendants, are happening regularly, sometimes twice a day, in federal courts across the southwest border, under the Trump administration's policy known as zero tolerance. When the policy first took effect in April, migrant parents were separated from their children. President Trump halted the separations in June after a nationwide outcry, and parents with children no longer are sent to criminal court. But for all other border crossers, zero tolerance remains fully in effect.

For the first time, those migrants — including people coming to seek asylum — face criminal prosecution anywhere they cross the border. More than 30,000 migrants have been convicted through July. In the southern district of Texas, where McAllen is located and the epicenter of zero tolerance, illegal entry prosecutions in July increased 318 percent from July of last year. After five months, it is unclear if zero tolerance is having any deterrent effect. According to Border Patrol figures, the numbers of illegal crossings by people who could be prosecuted have zig-zagged — down 29 percent in July, up 17 percent in August. So far, the vast majority of migrants prosecuted under the policy have received lenient sentences involving no jail time at all. But federal prosecutors said they are just laying the groundwork to hit those convicts with more serious felony charges, and more serious prison sentences, if they come back. Attorney General Sessions and Secretary of Homeland Security Kirstjen Nielsen have insisted that people must go to a border station if they want to apply for asylum lawfully. But the law states that migrants seeking protection can ask for asylum "whether or not at a designated port of arrival."

[CA] Trump administration's war on 'sanctuary' cities takes another hit as Los Angeles wins temporary injunction

[Los Angeles Times](#) [9/14/2018 2:15 PM, Nancy Dillon] reports the Trump administration's war on so-called "sanctuary" cities lost another round this week when Los Angeles won a temporary injunction against Attorney General Jeff Sessions, LA's city attorney said Friday. The injunction, granted by a federal judge in Los Angeles, bars Sessions from withholding crucial gang-fighting funds over the city's refusal to use the LAPD for immigration enforcement. U.S. District Judge Manuel L. Real found Sessions exceeded his authority when he placed new "immigration conditions" on the Edward Byrne Memorial Justice Assistance Grant Program that penalized Los Angeles, the ruling obtained by the Daily News states. The judge said Sessions was not "authorized" to add the new compliance prerequisites to the formula outlined by Congress for the anti-gang grants. In April, Judge Real issued a permanent, nationwide ban against a similar Sessions policy that stymied sanctuary cities applying for a community policing grant program. Before it was struck down, that DOJ policy awarded more points to police departments willing to give ICE agents unlimited access to jails and alert ICE agents 48 hours before the release of inmates targeted for deportation.

[CA] In L.A. Case, Judge Rules Trump Admin Can't Tie Anti-Gang Grants to Immigration Enforcement

[Los Angeles Times](#) [9/14/2018 3:05 PM, Richard Winton, 270K] reports a federal judge issued a preliminary injunction Friday barring the Trump administration from imposing requirements that local jurisdictions cooperate with immigration agents to receive anti-gang funds. U.S. District Judge Manuel Real issued the injunction against the Department of Justice in response to a lawsuit filed by the city of Los Angeles in July seeking to prevent the government from awarding federal police grants based on cooperation with immigration enforcement. Friday's ruling was another setback in the administration's campaign to crack down on illegal immigration and require cities like Los Angeles, whose police department does not provide information to Immigration and Customs Enforcement, to comply. The Justice Department annually doles out funds from the Edward Byrne Memorial Justice Assistance Grant to states and cities to support law enforcement efforts against gangs. Since 1997, Los Angeles has annually received more than \$1 million in such funds, including \$1.8 million in 2016. The city was eligible for about \$1.9 million in 2017, but Atty. Gen. Jeff Sessions announced in July of that year that under an executive order, all of the

anti-gang grant money would hinge on new immigration compliance requirements. Judge Real found that the Justice Department had no authority to place such conditions on the grant money. "To further show that the program is not to be administered according to the Attorney General's discretion, Congress structured the Byrne JAG program as a formula grant," Real wrote in his decision. "As stated above, the authority granted to the Attorney General with the Byrne JAG statute regarding distribution of funds is extremely limited and leaves little room for discretion."

Legal News

As Family Detention Expands, Attys Look To Alternatives

[Law 360](#) [9/14/2018 7:30 PM, Nicole Narea] reports as the Trump administration gears up to expand detention of immigrant families, attorneys are calling attention to alternatives that could be less restrictive and more cost-effective and still ensure that respondents appear for immigration court proceedings. The Trump administration had proposed a rule on Sept. 6 to vacate a 1997 federal consent decree known as the Flores settlement agreement, allowing the administration to detain children with their parents for the entire duration of their criminal or immigration proceedings, which often last months or years. The rule was issued in response to President Donald Trump's June executive order directing his administration to modify the settlement agreement such that it could detain families together where possible and to create more facilities to do so. Attorneys said that ensuring that immigrants appear for immigration court proceedings should be a priority. But they said alternative detention programs that allow case workers to check in with immigrants, community-based monitoring programs and services informing immigrants about their legal obligations might be nearly as effective at doing so as detention.

"These alternatives not only relieve the asylum applicants of needless hardship, but also save taxpayer dollars, since detention is expensive," Stephen Legomsky, an immigration law professor at the Washington University School of Law (St. Louis), said. Legomsky said that Congress has made detention mandatory in a limited number of cases, including those involving individuals charged with crime-related removal grounds, asylum seekers who have yet to prove they face "credible fear" of persecution in their home countries and national security threats. But in all other cases, detention is discretionary, usually appropriate only when the individual is found to be either unlikely to appear for their hearing or a danger to the public or to themselves, he said. Even when the person might otherwise be considered a flight risk, there are alternatives that have been proven effective, Legomsky said. The only alternative detention program still in operation by U.S. Immigration and Customs Enforcement is the Intensive Supervision Appearance Program. It administers intensive case management, supervision and location monitoring technology, including electronic ankle monitors. About \$57 million of the Trump administration's 2018 budget went to the program.

Exclusive: Questions Over Closed Immigration Cases

[Politico](#) [9/14/2018 10:00 AM, Rebecca Rainey, 3106K] a group of 18 Senate Democrats led by Sen. Catherine Cortez Masto (D-Nev.) grilled Trump administration officials Thursday over the possibility they could reopen thousands of closed immigration cases. In a letter to Attorney General Jeff Session and DHS Secretary Kirstjen Nielsen, the senators argued reopening the cases would "overwhelm the already flooded immigration court backlog." BuzzFeed News reported in August that ICE attorneys pushed to reopen 8,000 cases that

had been subject to "administrative closure," which allows immigration judges to halt deportation proceedings by taking a case off the court calendar. In fiscal years 2015 and 2016 – the last two full years under President Barack Obama – ICE requested roughly half that number, according to data obtained by BuzzFeed. He issued an opinion in May that largely blocked immigration judges from using the procedure and argued suspended cases should be returned to the active docket. In his opinion, Sessions said 355,835 cases remained subject to administrative closure – a figure that would increase the court backlog by 50 percent if they were reopened.

ICE is ordering immigrants to appear in court, but the judges aren't expecting them
[Dallas Morning News](#) [9/16/2018 6:30 AM, Dianne Solis, 496K, TX] reports Santos Monroy, Raymundo Olmedo and more than a dozen other immigrants reported for Dallas court hearings on their deportation cases Thursday only to be turned away. They'd been ordered to be in court by Immigration and Customs Enforcement. But their official notices to appear on Sept. 13 were greeted by court staffers who matter-of-factly called them "fake dates." Their names weren't on judges' dockets. "We've got fake dates," said one security guard as about two dozen immigrants clustered near a court filing window.

The orders to appear are not fake, but ICE apparently never coordinated or cleared the dates with the immigration courts. It's a phenomenon that appears to be popping up around the nation, with reports of "fake dates" or "dummy dates" in Dallas, Los Angeles, San Diego, Chicago, Atlanta and Miami. Some immigrants have even been given documents ordering them to be in court at midnight, on weekends and on a date that doesn't exist: Sept. 31. The result, immigrant advocates say, is more "chaos" in the heavily backlogged immigration court system. An ICE spokesman on Friday referred questions to the Justice Department's agency overseeing the courts. A spokeswoman for that agency referred questions to the Department of Homeland Security, which oversees ICE. "Please contact DHS for a response," said Kathryn Mattingly, the spokeswoman for the court agency of the Justice Department. ICE spokesman Tim Oberle said the court agency, known as the Executive Office for Immigration Review, "is responsible for setting and resetting appearance dates upon receipt of a notice to appear filed by" ICE and other "components" of Homeland Security. Neither ICE nor the court agency offered an explanation for the confusion.

Salvadoran Mom, Still Separated from Her Son, Takes Legal Action to Demand Reunification

[YubaNet](#) [9/14/2018 1:38 PM, Staff, 4K, CA] reports that an asylum seeker who remains separated from her four-year-old son and detained in a federal immigration prison nearly six months after immigration officers separated them at the southern border will bring legal action today to demand they be allowed to reunite. The Salvadoran mother, referred to as "Ms. Q" in the case, was erroneously denied reunification in July, the deadline set by a federal judge in the Ms. L v. ICE class action lawsuit for families to be reunited in the wake of the Trump administration's disastrous "zero-tolerance" policy of prosecuting asylum seekers and taking their children. Ms. Q and her son were apprehended by U.S. Customs and Border Patrol officers soon after they entered the United States in March 2018 to seek asylum from gang-related threats and severe gender violence. DHS has held Ms. Q at a U.S. Immigration and Customs Enforcement prison in Laredo, Texas, while her son has been held in a Department of Health and Human Services shelter for unaccompanied immigrant children 1,400 miles away in Chicago.

[TX] Lawsuit claims Houston blocking facility for migrant kids

[Washington Times](#) [9/14/2018 12:14 PM, Juan A. Lozano, DC] reports that a nonprofit sued the city of Houston on Friday, alleging officials are obstructing its efforts to open a facility in the city to house unaccompanied immigrant children as part of an "improper political exercise" that's "motivated by hostility" toward federal immigration law. Austin-based Southwest Key Programs claimed the city improperly invalidated previously issued permits that would have allowed it to open the facility, which was set to house more than 200 unaccompanied minors. The nonprofit also alleged the city is incorrectly designating the shelter as detention and not a residential facility, which means significant structural changes to the building and "enormous amounts of additional paperwork" for approval "which, as the city has clearly demonstrated, will never be forthcoming." In its lawsuit, Southwest Key alleged the city is improperly interfering with the federal government's duty, via a contractor, to care for unaccompanied children. It also accused Houston of discriminating against unaccompanied immigrant children through its actions.

Enforcement News

ICE: No immigration enforcement in areas of hurricane shelters or evacuations

[The Hill](#) [9/14/2018 12:23 PM, John Bowden, 3846K] reports Immigration and Customs Enforcement agents will not carry out enforcement initiatives in regions affected by Hurricane Florence, the agency said Friday. In a statement to the Raleigh News and Observer, an ICE spokesman confirmed that agents will not make arrests in the affected areas except in the case of a "serious public safety threat." "Our highest priority remains the preservation of life and safety," Bryan Cox told the News and Observer in an emailed statement. "In consideration of these circumstances, there will be no immigration enforcement initiatives associated with evacuations or sheltering related to Florence, except in the event of a serious public safety threat," he added.

Reported similarly:

[USA Today](#) [9/14/2018 5:51 PM, Ledyard King, 8110K, VA]

[The Daily Caller](#) [9/14/2018 11:44 AM, Henry Rodgers, 984K, DC]

The Trump administration wants to deport so many people, ICE can't keep up

[ThinkProgress](#) [9/14/2018 11:34 AM, Rebekah Entralgo, 799K] reports that U.S. Immigration and Customs Enforcement has requested an additional \$1 billion dollars from the federal government, according to budget document obtained by The Washington Post. According to the document, last month the agency requested Congress include the additional funds in a stopgap spending measure that must be passed by October 1 in order to avoid a government shutdown. The \$1 billion would be used to deport more than 253,000 undocumented immigrants throughout the next fiscal year, according to ICE estimates. That figure would be the government's highest amount of deportations since 2014, when the Obama administration expelled more than 300,000 undocumented immigrants. Without the funds, the administration says, thousands of detained immigrants may suffer from a "reduction in services" and they may be forced to suspend the arrests and deportations of immigrants deemed "threats to public safety."

[MA] Newton family man deported to Guatemala

[Wicked Local Newton](#) [9/13/2018 1:17 PM, Julie M. Cohen, 3K, MA] reports that Newton resident Rigoberto Mendez was deported to Guatemala Friday morning. Representatives from federal Immigration and Customs Enforcement (ICE) escorted him onto a plane at Logan Airport. Mendez said on Tuesday he was told by Sen. Elizabeth Warren's office about ICE's decision.

[NY] Hudson Valley Illegal Immigrant Among Sex Offenders Busted By ICE

[Yorktown Daily Voice](#) [9/15/2018 3:20 PM, Zak Failla, NY] reports that the Hudson Valley was among three areas targeted by federal officers from the U.S. Immigration and Customs Enforcement's Enforcement and Removal Operations, which led to the arrest of several sexual predators during a two-day operation this week. As part of "Operation SOAR" (Sexual Offender Alien Removal), ICE officers arrested 16 undocumented sex offenders, with arrests taking place in Rockland County, on Long Island and throughout New York City. The two-day enforcement effort ended on Sept. 11. "Many of those arrested in this operation had been found guilty of inappropriate sexual behavior against a minor," said Thomas R. Decker, field office director for ERO New York. "Our communities are safer, our children are safer, from the efforts of the men and women of ICE. We have removed them from our city's streets and we will seek to remove them from the United States."

[NJ] Illegal immigrant charged in stabbing death of 16-year-old girl, report says

[FOX News](#) [9/14/2018 7:43 AM, Ryan Gaydos, 11653K] reports a New Jersey man charged in the fatal stabbing of a 16-year-old girl was reportedly in the U.S. illegally at the time of the alleged crime. Bryan Cordero-Castro, 20, was charged with murder, weapons possession and attempted escape in connection with the stabbing death of Madison Wells. Cordero-Castro is a Guatemalan native who was living in the U.S. illegally after overstaying his visa, according to the Asbury Park Press.

Reported similarly: [Independent Sentinel](#) [9/14/2018 8:28 PM, S. Noble]

[KY] ICE finds illegal immigrant under false name in Louisville after deportation

[WAVE 3 News](#) [9/14/2018 8:43 PM, Natalia Martinez, 37K, KY] reports that a man who was arrested and deported in 2017 showed up in Louisville's jail after getting arrested yet again. Victor Delgado was booked into Metro Corrections on Sept. 9 on a warrant and numerous traffic violations, including not having a valid license. His stated age was listed as 27. But on a second glance, turns out 27-year-old Victor Delgado was really 32-year-old Victor Contreras. Contreras had been deported by Immigration and Customs Enforcement to his country of birth, Mexico, in April of 2017, according to ICE. Metro Corrections and ICE officials work together. ICE is able to look at a list of inmates, and cross reference them with their own list of people they are looking for. In this case, ICE placed a detainer on Contreras on Sept. 10, the day after he was arrested. By Sept. 12, Contreras was in ICE custody.

[OH] ACLU files habeas corpus petition for Haitian asylum seeker held in Geauga County Safety Center

[Lorain Morning Journal](#) [9/14/2018 3:21 PM, Andrew Cass, 9K, OH] reports that a Haitian teacher who sought asylum in the United States remains in the Geauga County Safety Center despite demands by the ACLU to free the man who was twice granted asylum. The ACLU wrote a letter to federal officials demanding that U.S. Immigration and Customs Enforcement release Ansly Damus from the Chardon jail by 5 p.m., Sept. 10. That deadline

passed without his release and the ACLU has now filed a habeas corpus petition in federal court demanding that the judge release Damus from the Geauga County Safety Center.

[MI] Official fights to stop deportation of deaf man

[WXYZ](#) [9/15/2018 7:21 AM, Andrea Isom, 79K, MI] reports he's called America his home for more than 30 years. Now, a deaf Detroit man is facing deportation to Nigeria. Government is getting involved, to help keep him in the land he loves. Fear and outrage are mounting, as those closest to him believe, deportation could kill him. Since coming to Michigan, at the age of 13. Now, 48-year-old Francis Anwana living in both Flint and Detroit. While in the Great Lakes State, on a student visa, he learned American Sign Language, gained a support group of family and friends. Though when the visa expired, Francis stayed. ICE has recently decided to deport Francis to Nigeria. Though in an act of discretion, ICE is allowing him to leave the country voluntarily. Francis could soon be forced to live somewhere, that is now unfamiliar, where he can't communicate with anyone. Congressman Dan Kildee has introduced a private immigration bill. Kildee is hoping to gain support for the bill and keep Francis in Michigan.

Reported similarly:

[ABC 12 WJRT](#) [9/15/2018 12:24 AM, Staff, 19K, MI]

[NBC 25](#) [9/14/2018 6:38 PM, Joel Feick, 8K, MI]

[TX] Previous Deportee Accused of Raping Own Daughter Caught near Texas Border

[Breitbart](#) [9/14/2018 10:24 AM, Bob Price, 2213K] reports that El Paso Sector Border Patrol agents arrested a previously-deported illegal immigrant accused of repeatedly raping his 15-year-old daughter in Tennessee. Agents working near the El Paso-Juarez Metropolitan Border Area found tracks left by a group of migrants who illegally crossed the border near the Yselta Port of Entry during a routine patrol. The agents followed the tracks and caught up with the group and placed them in custody for immigration violations, according to a report by KTSM in El Paso. The agents transported the group to the El Paso Station where they conducted an immigration interview and a biometric background investigation. Records indicated one of the men, 39-year-old Rusbel Zamorano-Calderon, has an outstanding criminal warrant from Polk County, Tennessee, for three counts of allegedly raping his 15-year-old daughter, the article states. Agents turned the Mexican national over to the El Paso County Sheriff's Office who will hold the man for extradition to Tennessee.

"This most recent arrest serves as another prime example of the importance of maintaining vigilance along our nation's borders, and the important role that Border Patrol Agents play in helping keep our communities safe," a Border Patrol spokesman said in a written statement obtained by the local news outlet. Officials did not disclose how many migrants were in the group the alleged rapist was traveling with. The others will likely face charges for immigration violations. Zamorano-Calderon could also face new federal charges for illegal re-entry after removal.

[TX] S.A. activist drops immigration fight and agrees to be deported

[San Antonio Express-News](#) [9/14/2018 7:34 PM, Guillermo Contreras, 39K, TX] reports that a young Hispanic activist who lived most of his life in San Antonio gave up a court challenge against the U.S. government on Friday, opting to be deported rather than remain in jail while a long legal fight loomed. Sergio "Mapache" Salazar was born in Mexico but had been living here legally under a policy known as DACA that allows some immigrants to defer

deportation. He withdrew his intent to seek voluntary departure, and instead agreed to the removal order by an immigration judge. "After discussing it with my attorneys, that is what's best for me, unfortunately," Salazar told Immigration Judge Justin Adams. Salazar appeared at Friday's hearing via video from a Laredo jail. Salazar, 18, could be deported within the next week.

Salazar was arrested on Aug. 3, as federal agents moved to deport him. He had left a camp outside an office of U.S. Immigration and Customs Enforcement on the North Side, where he and others had been protesting ICE. RAICES and supporters said Salazar came under attack because he called for the elimination of ICE. The agency denied any accusation of retaliation and said Salazar was arrested for violating immigration law. He has been in jail for more than a month as ICE lawyers filed paperwork alleging he is a national security risk because of social media postings reportedly threatening law enforcement. ICE responded that it "does not target unlawfully present immigrants for arrest based on advocacy positions they hold or in retaliation for critical comments they make ... any suggestion to the contrary is irresponsible, speculative and inaccurate," the agency said. "ICE prioritizes its enforcement resources on individuals who pose a threat to national security, public safety and border security."

[AZ] Arizona Border Patrol Agents Spot 188 Migrants in 33 Hours

[Breitbart](#) [9/14/2018 10:15 AM, Bob Price, 2213K] reports that between noon on Tuesday and 9 a.m. Wednesday morning, Yuma Station agents arrested 23 groups of illegal immigrants after they crossed the border from Mexico. The 23 groups came to the U.S. from seven countries and included Family Unit Aliens and Unaccompanied Alien Children, according to Yuma Sector Border Patrol officials. The largest cohort came to the U.S. from Guatemala. Officials said that 155 persons were in family units while 18 were unaccompanied minors.

[NV] More people ending up in deportation proceedings for unpaid traffic tickets alone, lawyers say

[The Nevada Independent](#) [9/16/2018 2:05 AM, Michelle Rindels and Luz Gray, NV] reports Ruby Flores Gonzalez was scheduled to give birth on Saturday, but the baby's father was expected to miss the big moment – Jorge Franco is in the Henderson Detention Center and is at risk of being deported for unpaid traffic tickets. It started with two unpaid tickets, then an incident in April when police stopped Franco, a native of Guatemala who has lived in the U.S. for 12 years, because his turn signal didn't work. The situation came to a head last week when police were apparently checking plates at random. "He told me that he was driving and that the police were checking plates. They checked his, saw his license, and noticed that he had a warrant out for his arrest," Flores Gonzalez said in an interview in Spanish with The Nevada Independent. Franco was taken to the North Las Vegas City Jail, where he stayed for five days, and then taken to Henderson, which contracts with Immigration and Customs Enforcement to hold immigrant detainees. Immigration lawyers say anecdotally that situations like Franco's are becoming increasingly common, although ICE and local government entities have stopped disclosing information that would pinpoint exactly how many people are detained by ICE for traffic violations alone as opposed to more serious violations. The trend comes as the Trump administration has stated that virtually all illegal immigration cases are an enforcement priority, and as Nevada continues operating under a system in which traffic ticket fines are a vital source of government revenue and where not paying can lead to an arrest warrant.

[WA] Immigrant Detainees On Hunger Strike In Tacoma Have Refused Food For 24 Days

[KNKX](#) [9/14/2018 5:47 PM, Will James, 12K, WA] reports three people held at the Northwest Detention Center in Tacoma have refused food for 24 days as they protest conditions inside the facility and their own potential deportations. The detainees have been on hunger strike since Aug. 22 and are under medical supervision, said a spokeswoman for U.S. Immigration and Customs Enforcement, or ICE. "ICE takes the health, safety and welfare of those in its care very seriously and respects the rights of all people to voice their opinion without interference," the spokeswoman said Thursday. Another woman has been on hunger strike since Aug. 30, her attorney said. Lawyers for two of the detainees on hunger strike went to court Thursday in an attempt to block ICE officials from force-feeding anyone who is well enough to refuse it. Arguments before a judge are scheduled for Tuesday in federal court in Tacoma, one of the attorneys said. ICE officials received a court order allowing them to involuntarily hydrate one person who has been on hunger strike since Aug. 22, but the person agreed to voluntarily drink one liter of fluid three times a day, ICE spokeswoman Carissa Cutrell said in an email. "ICE educates its detainees on the negative health effects of not eating," she said. "Additionally, for their health and safety, ICE closely monitors the food and water intake of those detainees identified as being on a hunger strike."

[Law 360](#) [9/14/2018 4:54 PM, Suzanne Monyak] reports two immigrants held in a Tacoma detention center accused the federal government in a Washington federal court Thursday of suppressing their rights to free speech, after the facility's guards allegedly threatened retaliation against them in order to halt a hunger strike. Viacheslav Poliakov and Raquel Martinez Diaz, both held in the Northwest Detention Center, allege that U.S. Immigration and Customs Enforcement violated their rights to express themselves freely, to petition the government and to assemble peacefully by threatening to force-feed those who are on a hunger strike and move them to solitary confinement, among other repercussions. The two detainees, along with other detainees at the facility, had gone on the hunger strike to protest the facility's poor conditions and the U.S. immigration system, the complaint says. "Plaintiffs exercised their right to these protected freedoms by engaging in a hunger strike to express their views about national immigration policies and how detainees were being treated at the [Northwest Detention Center]," the complaint says. "Defendants' actions chilled plaintiffs' right to freedom of speech and expression."

In August, a Washington federal judge certified a class of current and former immigrant detainees held at the Northwest Detention Center in their suit claiming that GEO violated state labor laws by paying them only \$1 a day for their work. Later that month, a California judge rejected the government's bid to dismiss a similar suit alleging that GEO violated the state's minimum wage law with the \$1 a day rate at the company's Adelanto Detention Center. Edward S. Alexander of The Law Office of Edward S. Alexander PS, who is representing Martinez Diaz, told Law360 that ICE has been "silencing" hunger strikers at the Northwest Detention Center since at least April 2017. "They are violating detainees' human rights, including freedom of speech, freedom of assembly, and the right to petition the government. ICE is not going to stop without a court order," Alexander said by email. A spokesperson for ICE said the agency "is unable to comment on pending litigation."

[CA] Adelanto is getting its finances in order. Officials disagree on what they will find.

[Victorville Daily Press](#) [9/15/2018 8:59 AM, Shea Johnson, 13K, CA] reports that in May, the city inadvertently double-paid \$5.4 million to the private operator of an immigration detention center. The city serves as the pass-through agency in an agreement that enables U.S. Immigration and Customs Enforcement to hold immigration detainees at the GEO-owned Adelanto Detention Facility. Each month, GEO prepares an invoice on behalf of the city, which submits it to ICE. ICE then sends the money to Adelanto and the city cuts a check for that exact amount to GEO. GEO had sent an invoice per normal in May and the city cut its \$5.4 million check to the company. When GEO later sent a revised invoice, with a few thousand dollars difference, the city mistakenly paid again the \$5.4 million in full.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Tuesday, Sept. 18, 2018

Executive Office for Immigration Review

Supreme Court Ruling Means
Thousands Of Deportation Cases May
Be Tossed Out 2

Dems Raise Concerns About
Reopening Immigration Cases..... 2

Some immigrants picked up by ICE
given 'fake dates' to appear in court..... 3

[CA] Will more immigration judges in LA
ease a growing backlog of cases?..... 4

Policy and Legislative News

U.S. slashes the number of refugees it
will allow into the country 4

Trump Seeks Freedom From Flores to
Up Immigrant Minor Detentions 5

Trump Administration Uses
Bureaucracy to Choke Immigration
System..... 5

Seeking asylum 5

More Migrants Split Their Families to
Keep Youths and Children in U.S. 6

CBP chief to inspect Border Patrol
facilities housing minors..... 6

All eyes on the border6

Legal News

[NY] NYC Sets Aside \$4.1M For Migrant
Children's Legal Services.....7

[FL] Fla. Court Skeptical Of Fed
Coercion In County's ICE Policy7

[IL] Central American mother seeking
asylum reunited teen with daughter
after separation at border.....7

Enforcement News

[NY] Assemblyman visits immigrant
detainees at Albany County Jail.....8

[TN] Tennessee News: Illegal Alien MS-
13 Member Convicted of Assaulting a
Federal Witness, Drug Distribution,
Immigration & Firearms Violations8

[IL] 'It is going to wreck my life':
Immigration judge may deport retired
Alton priest.....9

[AZ] Migrants Illegally Entering Arizona
by Hundreds, Says Border Patrol9

[CA] Arleta man becomes immigrant
advocate after ICE detention: 'I wanted
to save myself and them as well'9

Executive Office for Immigration Review

Supreme Court Ruling Means Thousands Of Deportation Cases May Be Tossed Out

[NPR](#) [9/17/2018 4:20 PM, Joel Rose] reports the Trump administration's push to deport more immigrants in the country illegally has hit a legal speed bump. For years, immigration authorities have been skipping one simple step in the process: When they served notices to appear in court, they routinely left the court date blank. Now, because of that omission and a recent Supreme Court decision, tens of thousands of deportation cases could be delayed, or tossed out altogether. The Supreme Court's decision in the case known as *Pereira v. Sessions* didn't get much attention when it was announced in June, partly because it seemed so technical. The court ruled 8 to 1 that immigration authorities did not follow the law when they filled out the paperwork in that case. They served an immigrant with a notice to appear in court but didn't say when and where the hearing would be held. Immigration lawyers are arguing that if any immigrant received a defective notice to appear, the whole deportation case is invalid. But the federal government is fighting back. Government lawyers are appealing, arguing that immigration authorities did eventually notify immigrants about the time and place of their hearings, just not right away. And, in August, they won an important case before the Board of Immigration Appeals, which oversees the nation's immigration judges, that could limit the impact of the *Pereira* ruling. The Department of Justice declined to comment on the Supreme Court ruling and its impact. Attorney General Jeff Sessions hasn't addressed it publicly. But he has criticized immigration lawyers for scouring the nation's immigration laws, looking for loopholes.

Dems Raise Concerns About Reopening Immigration Cases

[Law 360](#) [9/17/2018 2:39 PM, Nicole Narea] reports that Senate Democrats penned a letter to the Trump administration Thursday voicing concern over reports that the U.S. Immigration and Customs Enforcement will reopen thousands of deportation cases previously closed by immigration judges. The lawmakers said that reopening the cases would further bloat the immigration court backlog, which stands at almost 750,000 as of July, according to figures provided by the Transactional Records Access Clearinghouse. They argued that the cases need not be reopened because they involve individuals who have pending applications for relief before the U.S. Citizenship and Immigration Services and also vulnerable immigrant populations, including trafficking victims and abused or neglected children. Immigration judges had previously "administratively closed" the cases, suspending the proceedings indefinitely on a discretionary basis, but U.S. Attorney General Jeff Sessions revoked their power to do so in May when reviewing a precedential Board of Immigration Appeals decision. As part of that review, Sessions ordered the reopening of all administratively closed cases.

Sessions inserted himself into the BIA case in January after invoking a federal statute that allows attorneys general to refer board decisions to themselves for review. He rejected the idea that immigration judges or the BIA have an "inherent adjudicatory authority" to issue administrative closures, saying that the power must come from an attorney general's order, which has yet to be entered. Sessions believes the tool had been overused in recent years to handle cases that were effectively never reopened and properly dealt with, according to his decision. There are an estimated 355,000 administratively closed cases. The reopening of those cases would double the backlog to more than a million cases, potentially doubling

wait time for immigration court hearings, as well, the lawmakers claimed. The lawmakers asserted that the individuals who would be subject to reopened deportation proceedings have "no serious criminal history and have demonstrated connections and contributions to the United States." They consequently pressed the U.S. Department of Justice and the U.S. Department of Homeland Security to follow the recommendations of a report penned by a third-party independent evaluator appointed by the administration to identify means of reducing the backlog.

The [Nevada Independent](#) [9/18/2018 2:00 AM, Michelle Rindels, NV] reports when asked for comment on the senators' letter and speculation that some or all administratively closed cases could be reopened, ICE spokeswoman Yasmeen Pitts O'Keefe said the agency was working to re-calendar cases for defendants who have come into contact with the criminal justice system.

"U.S. Immigration and Customs Enforcement (ICE) is filing motions with courts overseen by the Executive Office for Immigration Review to re-calendar some cases that were previously administratively closed using prosecutorial discretion (PD) in which the alien has since been arrested for or convicted of a crime. This is being done by the ICE chief counsel offices," she said in a statement. "Moreover, ICE generally reviews cases previously administratively closed using PD to see if the basis for PD is still appropriate." Concern over mass re-calendarings can be traced to a June memo that apparently came from ICE's Office of the Principal Legal Advisor. The memo indicates "it is DHS's intention to re-calendar all cases that were previously administratively closed for reasons other than authorization by a regulation or judicially approved settlement agreement." In their letter to Sessions and Department of Homeland Security Secretary Kirstjen Nielsen, the 18 Democratic and independent senators raised concerns that reopening the cases would swamp immigration courts. There are more than 730,000 pending cases in immigration courts, and about 355,000 administratively closed cases, which would potentially create a caseload of more than 1 million, they said.

Some immigrants picked up by ICE given 'fake dates' to appear in court

[ABA Journal](#) [9/17/2018 11:16 AM, Stephanie Francis Ward, 55K] reports U.S. Immigration and Customs Enforcement has failed to coordinate or clear appearance dates with federal courts in six cities, the Dallas Morning News reports. Some people received documents with orders to appear in immigration court at midnight on Sept. 31-in a month that has 30 days. More than a dozen people showed up last Thursday at the Dallas immigration court with notices to appear, which are usually prepared by ICE. Court personnel told them to fill out a form and call a number to find out their actual court date, according to the article. The U.S. Department of Justice, ICE and the U.S. Department of Homeland Security-which oversees ICE-did not offer the newspaper an explanation about what had happened. ICE spokesman Tim Oberle said the Executive Office for Immigration Review, which is part of the Justice Department, "is responsible for setting and resetting appearance dates upon receipt of a notice to appear filed by" ICE and other "components" of Homeland Security.

[NBC Dallas-Fort Worth](#) [9/17/2018 10:29 PM, Diana Zoga, 119K, TX] reports that the regional public information officer for the U.S. Department's Executive Office for Immigration Review, which administers immigration court proceedings, referred NBC 5 to ICE for any questions. Immigration lawyers NBC 5 spoke with believe the confusion stems from a U.S. Supreme Court decision over the summer that now requires Notices to Appear include a date and time. Previously, the notices could simply say "to be set."

Reported similarly:

[ThinkProgress](#) [9/17/2018 3:08 PM, Rebekah Entralgo, 799K]

[Texas Standard](#) [9/17/2018 1:31 PM, Michael Marks, 3K, TX]

[KETR](#) [9/17/2018 1:51 PM, Mark Haslett, TX]

[KSTX](#) [9/17/2018 10:06 AM, Staff, TX]

[CA] Will more immigration judges in LA ease a growing backlog of cases?

[SCPR](#) [9/17/2018 8:01 AM, Leslie Berestein Rojas, 98K, CA] reports that last week, Attorney General Jeff Sessions welcomed 44 new judges to the nation's immigration courts. They have their work cut out for them: currently, about 350 judges nationwide handle nearly 750,000 pending cases. Los Angeles has the nation's second-largest immigration court backlog, with more than 72,000 pending cases. That is second only to New York. Four new immigration judges started in Los Angeles last month and 10 more are expected in the coming weeks, according to president of the national judges' union. But with a growing number of cases, fueled in part by changing immigration policies, is hiring more judges enough? Los Angeles-based Judge Ashley Tabaddor heads the National Association of Immigration Judges. She said while having more resources helps, "... the way things have been handled, especially more recently, it's not going to solve the problem." [Editorial note: [Audio](#)]

Policy and Legislative News

U.S. slashes the number of refugees it will allow into the country

[Washington Post](#) [9/17/2018 6:32 PM, Carol Morello, 11614K] reports the United States will admit no more than 30,000 refugees in the coming fiscal year, Secretary of State Mike Pompeo said Monday, the lowest number in decades and a steep cut from the 45,000 allowed in this year. The new number is a small fraction of one percentage point of the almost 69 million displaced people in the world today. But Pompeo said the United States remains the most generous nation when other U.S. aid to refugees is taken into account, including funds to shelter and feed refugees in camps closer to their home countries. Pompeo said the lower cap should not be the "sole barometer" of American humanitarian measures, but "must be considered in the context of the many other forms of protection and assistance offered by the United States." The new number is the lowest level of annual refugee admissions allowed since the Refugee Act was enacted in 1980. It does not necessarily mean that 30,000 refugees will be admitted in the 2019 fiscal year, which starts next month. In the current year, for example, fewer than 20,000 refugees had been resettled by Aug. 31, less than half the current cap. With just one month to go, it is extremely unlikely the number will change dramatically. Pompeo said another cutback in refugees — for the third year in a row — was needed because of a backlog of 800,000 pending asylum seekers. In the past, asylum seekers and refugees have been treated as two separate categories of people fleeing conflict and persecution. Under international law, countries are obligated to admit asylum seekers, though a judge can reject their cases and deport them. Refugees have already been accepted. "In consideration of both U.S. national security interest and the urgent need to restore integrity to our overwhelmed asylum system, the United States will focus on addressing the humanitarian protection cases of those already in the country," Pompeo said.

[NPR](#) [9/17/2018 11:15 PM, Richard Gonzales] NPR's Michele Keleman reports, the administration's move represents the lowest ceiling in decades and comes at a time when the world is grappling with massive refugee flows. There are more than 68 million displaced people around the globe, according to the U.N. Refugee Agency. "In defending the move, [Pompeo] says the refugee number should not be viewed in isolation," Keleman said. "This year's proposed refugee ceiling must be considered in the context of the many other forms of protection and assistance offered by the United States," said Pompeo, insisting that the U.S. is the most generous nation in the world. Pompeo added that the U.S. also has "a massive backlog" of asylum seekers already in the country.

Reported similarly: [Bustle](#) [9/18/2018 12:08 AM, Sarah Friedmann, 3272K]

Trump Seeks Freedom From Flores to Up Immigrant Minor Detentions

[Orange County Weekly](#) [9/17/2018 1:21 PM, Samuel Paramore, 39K, CA] reports that the mission to keep locking up undocumented children as an unofficial deterrent is still in play despite recent backtracking on such policies. The latest development in this morally repugnant push is to try to free itself from *Reno v. Flores*, a settlement agreement case in 1997 holding that unaccompanied minors should be released to a willing relative or guardian in the quickest time possible, that if minors are held it must be in the "least restrictive conditions," and, if accompanied by parents, they can't be held for more than 20 days. The only way under and around this settlement is to implement its standards into federal mandate, or to find legal loopholes such as trying the children in the 20-day period—which, at one point, President Barrack Obama attempted. It didn't turn out pretty as eligible asylum cases were being shot down because of the head-spinning pace of the litigation process brought to immigration lawyers and judges alike.

Trump Administration Uses Bureaucracy to Choke Immigration System

[The Stranger](#) [9/17/2018 11:30 AM, Katie Herzog, 253K, WA] reports that according to American law, it is perfectly legal for a noncitizen to approach the border and request asylum. But, under the Trump administration, the line at the border is sometimes weeks long. Asylum seekers, some of whom have literally walked across a continent to get there, have to pay for lodging and food, which many asylum seekers just can't afford. This American Life talked to one asylum seeker from Cameroon — where the government has been killing minority groups and burning their homes — who'd walked to the U.S. border from Ecuador. He had been waiting for three weeks and had run out of money for food, so he was surviving by just drinking water. The long waits, as you can likely imagine, lead some asylum seekers to give up on the legal route and try to cross the border on their own. When this happens, and if they are caught, they are turned over to federal criminal court for mass hearings. ICE spends more than \$2 billion a year detaining immigrants in private prisons, so everything that's happening on the Southern border is a real win/win for the administration: Make it impossible for immigrants to ask for asylum, and then use taxpayers' dollars to imprison them.

Seeking asylum

[WHYY](#) [9/18/2018 Air Time: 10:00 AM, Staff] reports to qualify for asylum in the United States, you have to prove that you can't return to your home country because you have suffered, or are likely to suffer, persecution there. But how do you provide evidence that returning home could put you in danger? Who's actually deemed eligible for asylum, and who's turned away, especially under the Trump administration? We'll be joined by HIAS

immigration attorney Ayodele Gansallo, who regularly helps her clients gain asylum, and by neuropsychologist David Glosser, who works with Gansallo to document trauma and mental health conditions of asylum-seekers. Glosser is also an uncle of President Trump advisor, Steven Miller, whom he called an immigration hypocrite in Politico. Then, we'll check in with ACLU attorney Lee Gelernt, who is litigating a national class-action lawsuit against ICE, on the effort to reunite children separated from their parents when crossing the U.S. border.

More Migrants Split Their Families to Keep Youths and Children in U.S.

[Breitbart](#) [9/17/2018 3:12 PM, Neil Munro, 2213K] reports that the ACLU has admitted that migrant parents in the "family separation" furor are deliberately leaving at least 114 children in the United States, says a court filing by the federal government. The acknowledged abandonment of the 114 children and youths — plus the de-facto abandonment of up to 232 others — undermines the progressives' media-magnified claim that President Donald Trump maliciously separated victimized families as they fled from crime into the safety of the United States. Instead, the migrants' decisions to leave 114 children behind highlights the migrants' rational and reasonable plan to use the border loopholes created by progressives to get themselves and their children — either separately or together — to the United States' job opportunities, free education, peaceful streets, and anti-poverty programs.

CBP chief to inspect Border Patrol facilities housing minors

[USA Today](#) [9/17/2018 4:21 PM, Alan Gomez, 8110K] reports that with the images of migrant children detained in chain-linked cages still plaguing the Trump administration, the head of U.S. Customs and Border Protection will travel to the southwest border this week to see how the agency's facilities can be modified to better care for future waves of families and minors.

All eyes on the border

[Albuquerque Journal](#) [9/17/2018 12:05 AM, Angela Kocherga, 55K, NM] reports in the months since Border Patrol Chief Aaron Hull returned to this stretch of border, construction on a "wall" began, National Guard troops were deployed and the controversial zero tolerance policy separated thousands of children from their parents. "It's been an eventful year," said Hull, chief patrol agent for the El Paso sector, which includes all of New Mexico. Hull sat down with the Journal recently for an in-depth interview about the sector he leads, which includes 268 miles of border that stretches from the Arizona state line along the southern New Mexico border and into the western edge of Texas. Hull was at the high-profile news conference announcing construction of the new "wall." He also joined Gov. Susana Martinez in welcoming National Guard Troops to southern New Mexico after she and other governors deployed troops to the border at Trump's request in April. The National Guard serves in a support role since border enforcement is the sole duty of Border Patrol agents. Hull expects the troops to remain on the border through next year as the federal government hires the 5,000 new Border Patrol agents authorized by Trump. Border Patrol agents working in southern New Mexico and El Paso were the first tasked with carrying out a "pilot program" of Trump's zero tolerance policy late last year — which resulted in separating thousands of families — months before it was implemented across the Southwest border. Hull said the policy was about lawbreakers, not breaking up families. Hull said the policy was designed to close "a loophole" that allowed parents who crossed the border illegally with kids to go free because children can't go to jail. Immigration and Customs

Enforcement and the Department of Health and Human Services ultimately took custody of the detained parents and kids, but the Border Patrol was the public face of the separations.

Legal News

[NY] NYC Sets Aside \$4.1M For Migrant Children's Legal Services

[Law 360](#) [9/17/2018 8:52 PM, Nicole Narea] reports New York City has allocated \$4.1 million to administer legal services for migrant children placed in federal facilities under the Office of Refugee Resettlement, including access to legal risk assessments and screening for individuals seeking to sponsor migrant children, Mayor Bill de Blasio announced Monday. The funding will permit the city to offer legal defense in removal proceedings to over 900 immigrant children who are unaccompanied or who have been separated from their families, the city said. It will also expand social work and case management tools for migrant children, as well as facilitate the release of children in ORR facilities to family members petitioning to sponsor them, according to the announcement. In June, New York City officials also proposed legislation that would bolster the city's sanctuary status. That bill in the New York State Assembly would bar immigration officers from being able to make civil arrests at state courthouses if they did not possess a court order or a judicial arrest warrant. Introduced in response to reports of plainclothes U.S. Immigration and Customs Enforcement officers being present in courthouses throughout the state and detaining individuals suspected of being in the U.S. without authorization, the Protect Our Courts Act would also bar officers from arresting individuals if they were on their way to court or after leaving the buildings, according to the bill.

[FL] Fla. Court Skeptical Of Fed Coercion In County's ICE Policy

[Law 360](#) [9/17/2018 5:44 PM, Carolina Bolado] reports a Florida appeals court voiced skepticism Monday that Miami-Dade County officials were coerced into a decision to eliminate protections for undocumented immigrants from U.S. Immigration and Customs Enforcement detainer requests and seemed poised to overturn a trial judge's decision shooting down the new policy. In oral arguments in Miami, judges from Florida's Third District Court of Appeal said they had seen scant evidence of a Tenth Amendment violation in the county's decision in February 2017 to honor ICE detainer requests after President Donald Trump's executive order promising to pull federal funding from so-called sanctuary cities. County Attorney Michael Valdes told the court that the Miami-Dade County commissioners were briefed by their legal team on the county's options and were advised that the president's executive order could not legally affect the vast majority of the county's federal funding. They voluntarily opted to return to a policy the county had in place before 2013 in which it honored all immigration detainers. Philip Reizenstein of Woodward & Reizenstein PA, who argued on behalf of now-deported Haitian immigrant James Lacroix, defended the trial court taking judicial notice of Trump's tweets and said the court simply took the president at his word that he would pull funding from jurisdictions that did not cooperate with ICE. But Judge Leslie Rothenberg, who sat on the appellate panel Monday, pointed out that the commissioners discussed that they could not be coerced to cooperate, voted on it and went through the appropriate process before adopting the policy.

[IL] Central American mother seeking asylum reunited teen with daughter after separation at border

[Chicago Tribune](#) [9/17/2018 12:00 PM, Elvia Malagon, 1740K, IL] reports for much of their lives, it was only Maritza Flores and her daughters as they sought safety from gang threats, but Saturday evening, they were surrounded by extended family on the city's Southwest Side. In a Brighton Park backyard, ranchera music blasted in the background as a cook grilled chiles, sending the potent scent through a crowd gathered for the 12th Ward Independent Political Organization's fundraiser for the family. Liz Gres and Pete DeMay – the McKinley Park family who welcomed the Flores family into their home – introduced Flores to friends while their younger children played together. Flores and three of her youngest daughters have been in Chicago since May, after they were released from a detention center pending the outcome of their case. It was only recently that Flores' 18-year-old daughter, Laura Portillo Flores, was released from a San Diego-area detention center and reunited with her family in Chicago. They were part of a caravan of Central Americans who traveled to the U.S. border this spring to turn themselves in and ask for asylum. For now, Portillo Flores' case is separate from her mother's and her sisters', but they want their cases to be joined together, DeMay said.

U.S. Attorney General Jeff Sessions has been pushing for immigration judges, who work for a division of the Justice Department, to issue faster rulings in immigration cases, and one memo told the judges that they would get a "satisfactory" rating on evaluations by clearing at least 700 cases a year, The Associated Press reported. In June, Sessions issued a sharp decision saying that crimes occurring in another country should not be among the reasons that a person seeks asylum in the U.S. "The mere fact that a country may have problems effectively policing certain crimes or that certain populations are more likely to be victims of crime, cannot itself establish an asylum claim," the decision read.

Enforcement News

[NY] Assemblyman visits immigrant detainees at Albany County Jail

[Times Union](#) [9/17/2018 7:28 PM, Rachel Silberstein, 118K, NY] reports that Assemblyman David Weprin on Monday visited the Albany County jail, where scores of undocumented immigrants are detained. Weprin, who chairs the Assembly Committee on Correction, questioned the ongoing detention of immigrants who have demonstrated a "Credible fear" and been deemed eligible for asylum, and of others who have asked to be deported. "We have concerns with the whole process and why these detainees are being held for so long," the Queens Democrat said at press conference at the Capitol. The 1,040-bed jail was at capacity in June after taking in 330 detainees, though that number has declined to 250 in recent weeks as many were transferred to the Buffalo Federal Detention Facility in Batavia, where the nearest immigration court is located.

[TN] Tennessee News: Illegal Alien MS-13 Member Convicted of Assaulting a Federal Witness, Drug Distribution, Immigration & Firearms Violations

[United States Department of Justice](#) [9/17/2018 9:32 AM, Staff] reports that an illegal alien and MS-13 gang member from El Salvador was convicted today by a federal jury of using physical force to tamper with a witness; being an illegal alien in possession of a firearm; illegally re-entering the United States after previously being deported; multiple counts of cocaine distribution; and multiple counts of other firearms violations, announced U.S. Attorney Don Cochran of the Middle District of Tennessee and Assistant Attorney General Brian A. Benczkowski of the Justice Department's Criminal Division. Gerson Serrano-Ramirez, aka Frijole, 31, was indicted in August 2017 and convicted today on all counts

after a 3-day jury trial in U.S. District Court in Nashville. The case was investigated by Homeland Security Investigations - Immigration & Customs Enforcement, and others.

[IL] 'It is going to wreck my life': Immigration judge may deport retired Alton priest

[Alton Telegraph](#) [9/17/2018 5:40 PM, Linda N. Weller, 9K, IL] reports that supporters of a retired Alton priest are rallying to raise money for his legal fees as he faces likely deportation because of a mistake he made 12 years ago based on misinformation. "My immigration lawyer tells me deportation is inevitable and that the position I might be granted is voluntary departure, but it is up to the decision of the immigration judge," said the Rev. David Boase, 69, who retired in 2014 from St. Paul Episcopal Church, 10 E. Third St. "Technically, I am not being deported, I will leave on my own account," he said if the judge allows the voluntary departure for him to go back to England. Boase has a second hearing before a U.S. Citizenship and Immigration Services judge Sept. 28 in Kansas City, Missouri, where he will learn his fate.

[AZ] Migrants Illegally Entering Arizona by Hundreds, Says Border Patrol

[Breitbart](#) [9/17/2018 12:00 PM, Bob Price] reports Border Patrol agents in the Tucson Sector are witnessing significant increases in the number of migrants crossing illegally from Mexico. In roughly two weeks, four groups were apprehended—each consisting of more than 100 adults and children. Ajo Station agents encountered a group of 121 migrants who crossed the border near the Senita Basin, north of the Lukeville port of entry. The group quickly turned themselves over to the custody of the agents, according to U.S. Customs and Border Protection officials. Agents said the group was composed of 111 adults and children from Guatemala and another 10 from El Salvador. Four days earlier, agents encountered a group of 163 several miles west of the Lukeville port of entry. Another group of 103 was apprehended on August 28 and 128 more on August 20. The group of 128 was abandoned in the desert by their human smugglers, officials stated.

[CA] Arleta man becomes immigrant advocate after ICE detention: 'I wanted to save myself and them as well'

[Los Angeles Daily News](#) [9/17/2018 7:33 AM, Brenda Gazzar, 98K, CA] reports that Jose Luis Garcia couldn't sleep the first four nights in detention after he was arrested by a group of immigration officers in front of his Arleta home. All he could think about, he said, was whether he would be deported to his native Mexico – a country he had left behind at age 13 to chase dreams of fancy cars. Though Garcia had been living in the country legally for three decades, the machine operator and part-time Uber driver had old criminal convictions that made him eligible to be deported. They included a 2001 misdemeanor domestic abuse conviction involving his wife for which he had already served his time. Both he and his wife claim he was never violent. But Garcia soon realized that many detainees who had befriended him at the facility had it "worse" than he did. Most were undocumented with sparse financial resources to bail out or pay for an immigration lawyer. Some, he said, feared deportation to countries where their relatives had been kidnapped and even killed by suspected narcotraffickers.

"Right away, I talked to Natalie, and asked her if there was a way for her to help these people, because they needed help more than me," Garcia recalled. "At the same time, I wanted to save myself and save them as well." Natalie Garcia – who was instrumental in attracting national media attention to her father's case – began helping some of the detainees find immigration attorneys, even as she herself struggled to make sense of the

immigration system. Other families reached out to their family via social media seeking help for their loves ones in detention. The requests continued to pour in after an immigration judge dismissed Jose Garcia's deportation case after nearly three weeks in detention. "They see my father's case was successful, so they want it, so there's hope for their families," Natalie Garcia said.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Wednesday, Sept. 19, 2018

Executive Office for Immigration Review

Migrants are being turned away from immigration courts because ICE gave them 'fake dates' for deportation hearings 2

GAO Tracks Progress, Challenges in Management of Immigration Courts and Alternatives to Detention..... 2

ICE: More Than A Quarter Of Illegal Immigrant Families In Alternative To Detention Skip Court Hearings 3

Is controversial Guantanamo judge now an immigration judge? Defense asks to throw out his rulings 3

Policy and Legislative News

Federal Officials on Immigrant Children at the Border 4

U.S. Loses Track of Another 1,500 Migrant Children, Investigators Find 4

Trump Officials Urge End of Time Limits on Detaining Migrant Children..... 4

Gov't Must Do More To Protect Detained Kids, Lawmaker Says..... 5

Nearly 80 percent of households that take in unaccompanied minors already have illegal immigrants, ICE official says5

Ankle monitors lead to fewer deportations than detention: ICE6

Trump administration cuts refugee admissions to 30,000.....6

Despite what this administration wants, the U.S. can't close its border to asylum seekers7

[CA] Asylum Seekers, Violence Survivors And ICE Agents: The Local Effects of Recent Immigration Policies .7

Legal News

Not on our watch': Lawyers fight to keep Trump from dismantling migrant child protections8

Enforcement News

Mismatched SSNs Could Pave New Path for Immigration Enforcement.....8

ICE official stands by comparing detention centers to 'summer camp,' won't say if he'd send his kids to one8

[NH] Shea-Porter calls for release of detained Indonesian9

[NJ] North Plainfield MS-13 member pleads guilty to shooting and killing Plainfield man.....	9
[TN] 4 sentenced after immigration raid at Grainger County plant.....	9
[TN] MS-13 gang member convicted of brutal Tennessee assault with rifle, bleach, plastic bag, feds say	9

[TX] Honduran woman detained for nine months is denied asylum.....	10
[NM] Man arrested after Santa Fe airport breach.....	10
[WA] Hunger strikers sue to prohibit forced feeding at Tacoma immigration detention center	10
[CA] 38th sex offender apprehended in Calexico	11

Executive Office for Immigration Review

Migrants are being turned away from immigration courts because ICE gave them 'fake dates' for deportation hearings

[Daily Mail](#) [9/18/2018 5:33 AM, Valerie Bauman, UK] reports more than a dozen immigrants have showed up for deportation court hearings in Dallas only to find that they were never actually added to the dockets and have been given by ICE what court officials described as 'fake dates,' according to a new report. The immigrants were turned away, as have others in Los Angeles, San Diego, Chicago, Atlanta and Miami, according to The Dallas Morning News. In some cases, Immigration and Customs Enforcement officials have instructed immigrants to arrive in court on weekends, at midnight, or even on non-existent dates – Sept. 31, for example. With a backlog of nearly 750,000 cases nationwide, the issue is throwing a new wrench into an already strained immigration court system. Many of the immigrants turned away in Texas were arrested on Aug. 28 during the largest workplace ICE has conducted in a decade. That operation, at Load Trail in Sumner, Texas (about 100 miles northeast of Dallas), netted 160 arrests. A spokesman for ICE referred DailyMail.com to the Executive Office for Immigration Review, which falls under the DOJ. The Department of Justice did not immediately respond to a request for comment.

GAO Tracks Progress, Challenges in Management of Immigration Courts and Alternatives to Detention

[Homeland Security Today](#) [9/18/2018 12:00 PM, Staff, 2K] reports in June 2017, the Government Accountability Office reported that the Executive Office for Immigration Review's immigration court case backlog – cases pending from previous years still open at the start of a new fiscal year – more than doubled from fiscal years 2006 through 2015, primarily due to declining cases completed per year. GAO also reported in June 2017 that EOIR could take several actions to address management challenges related to hiring, workforce planning, and technology utilization, among other things. For example, EOIR did not have efficient practices for hiring immigration judges. EOIR data showed that on average from February 2014 through August 2016, EOIR took more than 21 months to hire a judge. GAO also found that EOIR was not aware of the factors most affecting the length of its hiring process. The agency recommended that EOIR assess its hiring process to identify efficiency opportunities. As of January 2018, GAO found, EOIR had made progress in increasing its number of judges but remained below its fiscal year 2017 authorized level. To better ensure that it accurately and completely identifies opportunities for efficiency, EOIR needs to assess its hiring process.

In November 2014, GAO reported that the number of aliens who participated in U.S. Immigration and Customs Enforcement's Alternatives to Detention program increased from 32,065 in fiscal year 2011 to 40,864 in fiscal year 2013. GAO also found that the average daily cost of the program – \$10.55 – was significantly less than the average daily cost of detention—\$158—in fiscal year 2013. ICE established two performance measures to assess the ATD program's effectiveness, but limitations in data collection hindered ICE's ability to assess program performance. GAO recommended that ICE collect and report on additional court appearance data to improve ATD program performance assessment, and ICE implemented the recommendation. GAO previously made recommendations to EOIR to improve its hiring process, among other things, and to ICE to improve ATD performance assessment. EOIR and ICE generally agreed and implemented or reported actions planned to address the recommendations.

ICE: More Than A Quarter Of Illegal Immigrant Families In Alternative To Detention Skip Court Hearings

[The Daily Caller](#) [9/18/2018 5:11 PM, Will Racke, 984K, DC] reports a significant share of illegal immigrant families released from federal detention have failed to show up for their immigration court hearings this year, a senior Immigration and Customs Enforcement official said Tuesday. The family units in question are placed in programs collectively known as alternatives to detention (ATD), which allow people with pending deportation cases to avoid detention in favor of some other non-custodial monitoring. Alternatives include community monitoring through nonprofit organizations and GPS tracking with ankle or wrist bracelets. ATD often leads to family units' skipping immigration court hearings and, ultimately, ignoring removal orders issued in absentia, according to Matthew Albence, the executive associate director of ICE's Enforcement and Removal Operations Division. Between Oct. 1, 2017 and July 31, 2018 – the first 10 months of fiscal year 2018 – the absconder rate for family units in ATD was 28 percent, Albence said in prepared testimony before the Senate Homeland Security and Governmental Affairs Committee. That was significantly higher than individuals in ATD, who had an absconder rate of about 16 percent over the same time period, Albence said. Migrant families in ATD typically linger for years in immigration proceedings because they are placed in the non-detained docket, which has a backlog of more than 700,000 cases, according to Albence. By contrast, illegal immigrants in detention have an average length of stay of about 40 days before their cases are adjudicated either way, he said.

Is controversial Guantanamo judge now an immigration judge? Defense asks to throw out his rulings

[ABA Journal](#) [9/18/2018 2:05 PM, Lorelei Laird] reports a retiring military judge whose handling of a Guantanamo military trial raised eyebrows appears to have been hired as an immigration judge, the Miami Herald reported last Friday. Air Force Col. Vance Spath, who is scheduled to retire from the military on Nov. 1, was photographed by the Associated Press at a Sept. 10 ceremony welcoming new immigration judges. That's surprised defense lawyers in the controversial case that led to Spath's retirement. Attorneys for Abd al-Rahim al-Nashiri, the alleged mastermind of the 2000 bombing of the USS Cole, say that if Spath was hired as an immigration judge, his application was likely pending for many months. Because the prosecution in the case includes people from the U.S. Department of Justice - the same federal agency that oversees immigration courts—defense attorneys are asking to throw out all of Spath's rulings as tainted. Justice Department spokesman Devin O'Malley told the Herald that he couldn't confirm anyone's hiring as an immigration judge until that person is sworn in.

Policy and Legislative News

Federal Officials on Immigrant Children at the Border

[C-SPAN](#) [9/18/2018 9:30 AM, Staff, 172K] reports that officials with the Justice Department, Immigration and Customs Enforcement (ICE) including Executive Associate Director of Enforcement and Removal Operations Matthew Albence, and Customs and Border Patrol (CBP) testified before the Senate Homeland Security and Governmental Affairs Committee regarding the detention of families at the U.S.-Mexico border. Senators asked several questions about the Trump Administration's proposed rule allowing migrant children and their families to be detained for longer time periods. Other topics that came up included the conditions of detention facilities, access to legal counsel for detainees and the immigration court backlog. [Editorial note: [Video](#)]

U.S. Loses Track of Another 1,500 Migrant Children, Investigators Find

[New York Times](#) [9/18/2018 12:39 AM, Ron Nixon, 25617K] reports that the Trump administration is unable to account for the whereabouts of nearly 1,500 migrant children who illegally entered the United States alone this year and were placed with sponsors after leaving federal shelters, according to congressional findings released on Tuesday. The findings were accompanied by legislation introduced on Tuesday by Republican and Democrat senators to clarify the department's responsibility for ensuring the safety of migrant children, even when they were no longer in its custody. The legislation would require officials at the Department of Health and Human Services to run background checks before placing children with sponsors. It also would compel the department to make sure that sponsors provide proper care for the children in their custody, including making sure they appear at their immigration court hearings. The legislation would require department officials to notify state governments before migrant children are placed with sponsors in those states. It would increase the number of immigration court judges to help the Justice Department process cases more efficiently.

Trump Officials Urge End of Time Limits on Detaining Migrant Children

[New York Times](#) [9/18/2018 8:14 PM, Ron Nixon, 25617K] reports that Trump administration officials told a Senate panel on Tuesday that a decades-old court ruling that limits the length of time migrant children can be detained hampers the government's ability to stem illegal immigration, and needs to be amended by Congress. The officials, from the Department of Homeland Security and the Justice Department, said the 1997 consent decree known as the Flores agreement had encouraged hundreds of thousands of migrants to illegally cross the southwestern border with their children, knowing that they will not be detained if they are traveling with minors. Under the court agreement, migrant children cannot be detained for more than 20 days. "It creates a business model for smugglers," Robert E. Perez, the acting deputy commissioner for Customs and Border Protection, told the Senate Homeland Security Committee. Joseph Edlow, an acting deputy assistant attorney general, said modifying the court agreement would "cut off one of the pull-factors" for migrants coming to the United States from Central American countries. The hearing comes nearly two weeks after the Trump administration proposed a new regulation to allow the government to sidestep the decree and detain children with their parents while their cases are being considered by immigration courts. "The Flores settlement represents a significant hurdle to the enforcement of immigration law," said Senator Steve Daines, Republican of Montana. He said the agreement needed to be fixed to help Immigration and Customs Enforcement officers do their jobs.

Gov't Must Do More To Protect Detained Kids, Lawmaker Says

[Law 360](#) [9/18/2018 3:06 PM, Kevin Penton] reports the Trump administration must do better to ensure that immigrant children in detention camps are protected from abuse if it expects Congress to support initiatives to expand the amount of time that minors may be held, Sen. Heidi Heitkamp, D-N.D., said on Tuesday during a Senate hearing on the so-called Flores settlement agreement. Heitkamp questioned Trump administration officials during the Homeland Security and Governmental Affairs Committee hearing on what various agencies are doing to address allegations that children at the centers have been the victims of abuse, as the government seeks support for its effort to rip up a 21-year-old deal that outlines detention guidelines for minors. Acting Deputy Assistant Attorney General Joseph Edlow said he wouldn't be able to answer whether sexual assault at a federally regulated detention center would be a federal crime. He said should other agencies refer allegations to a U.S. attorney's office for prosecution, the office will determine whether to proceed with a case.

Robert Perez, U.S. Customs and Border Protection's acting deputy commissioner, said the agency's Office of Professional Responsibility is looking into a "relatively small number of allegations," and U.S. Immigration and Customs Enforcement Executive Associate Director Matthew Albence said he was not aware of any sexual assault allegations at any of ICE's federally regulated centers, prompting at least one person in the hearing's audience to laugh. Although it is important for the United States to enforce its immigration laws, it is also important for the federal government to ensure that children held in its custody are protected from physical and sexual abuse, Heitkamp said. A proposed rule published earlier this month in the Federal Register by the Trump administration would vacate a 1997 federal consent decree known as the Flores settlement agreement and allow the administration to detain children with their parents for the entire duration of their criminal or immigration proceedings, which often last months or years. The government says families must be able to be detained together on a wide scale as a method of deterring further unauthorized border crossings.

Nearly 80 percent of households that take in unaccompanied minors already have illegal immigrants, ICE official says

[Washington Examiner](#) [9/18/2018 2:30 PM, Anna Giaritelli, 535K, DC] reports that four in five sponsors with whom the Health and Human Services Department places unaccompanied kids apprehended at the border are illegal immigrants or already have people unlawfully in the country living in their homes, according to Immigration and Customs Enforcement. "From our data that we've seen just recently, you're looking at close to 80 percent of the people that are sponsors or household members within these residents are illegally here in the country," Matthew Albence, executive associate director for ICE, said in testimony before the Senate Homeland Security and Governmental Affairs Committee.

The [Washington Times](#) [9/18/2018 4:34 PM, Stephen Dinan, 602K, DC] further reports that Mr. Albence painted a bleak picture of the enforcement options open to the government as it tries to combat a new surge of illegal immigrant families and a continued steady pace of juveniles traveling alone, who are known in Washington-speak as "Unaccompanied Alien Children," or UAC. Democrats on the committee said they don't want to open the borders to all comers, but bristled at administration plans to hold families in detention, calling that inhumane. They said there are other ways to make sure illegal immigrants show up for their

court hearings and when it's time to be deported – such as ankle monitors, or assigning social workers and case workers for regular check-ins.

Ankle monitors lead to fewer deportations than detention: ICE

[Washington Examiner](#) [9/18/2018 11:50 AM, Anna Giaritelli, 535K, DC] reports that a senior U.S. Immigration and Customs Enforcement official said Tuesday that making illegal immigrants wear ankle monitors when they arrive in the U.S. is a less effective and more costly way to eventually deport them when compared to simply detaining them. The Alternatives to Detention program, or ATD, allowed families that are apprehended for unlawful entry and then claim asylum to be released from ICE custody into the United States. Adults are given ankle monitors under the program to ensure they show up for court dates to hear their asylum requests, and most cases are decided in at least one to two years. The ankle monitors were heavily used this summer when up to 10,000 families were being apprehended at the southwest border each month, which created a lack of detention space for families. But Matthew Albence, executive associate director for ICE, said this system has not been nearly as effective as detention.

"This issue has not been effectively mitigated by the use of Alternatives to Detention, which has proved to be substantially less effective and cost-efficient in securing removals than detention," Albence said in his prepared remarks before the Senate Homeland Security and Governmental Affairs Committee. "While the cost of detention per day is higher than the cost of ATD per day, because those enrolled in the ATD program often stay enrolled for several years or more, while those subject to detention have an average length of stay of approximately 40 days, the costs of ATD outweighs the costs of detention in many cases," added Albence.

The [Washington Examiner](#) [9/18/2018 12:44 PM, Anna Giaritelli, 535K, DC] further reports around 3 in 10 families apprehended for illegally entering the United States from Mexico cut off their ankle monitoring devices shortly after being released from Immigration and Customs Enforcement custody and told to show up for asylum hearings, an ICE official said Tuesday. "Nearly 3 in 10 family units are cutting off their ankle bracelets at the beginning of the process when they've been released from our custody within days or weeks so they're not even going to get to that point where they could get the final removal order," Matthew Albence, executive associate director for ICE, testified before the Senate Homeland Security and Governmental Affairs Committee. Albence said the Homeland Security Department's inability to get all illegal immigrants released from custody and told to appear for court hearings was in part due to people ditching their ankle bracelets and disappearing into the interior of the country. Those waiting to hear if their asylum cases are approved or denied were more likely to keep their monitors intact and show up for court, but once their cases were denied, they were not likely to show up when a judge would then later order them deported. "They will comply up until the benefit of complying is not there," said Albence.

Trump administration cuts refugee admissions to 30,000

[FOX News](#) [9/18/2018 2:53 PM, Adam Shaw] reports that the Trump administration announced Monday it will cut the maximum number of refugees allowed into the country next year to 30,000, citing national security concerns and the need to restore integrity to the system. Secretary of State Mike Pompeo said that the administration is lowering the refugee cap from 45,000 in fiscal 2018 to 30,000 in fiscal 2019. It will be the lowest ceiling since the

refugee program began in 1980. Former President Barack Obama raised the ceiling to 110,000 in 2017, and the U.S. allowed in almost 85,000 refugees in 2016 – the last full year of the Obama administration. But the Trump administration has taken a much tougher line on immigration and refugee entry, focusing on the need to fully vet those coming into the U.S. Pompeo said even with the cut, the U.S. will continue to be the most generous nation in the world when it comes to immigration, and stressed the number should be seen in the broader context of other humanitarian programs.

[National Review](#) [9/18/2018 4:00 PM, Mark Krikorian, 669K] reports that the ceiling for the current fiscal year, which ends September 30, is 45,000, so the news reports have focused on the lower number. But this is a ceiling, not a target, and not necessarily the actual number to be admitted. In fact, by the time FY 2018 ends in a couple of weeks, we will have resettled only about 21,000 refugees from abroad, under half the ceiling, because of the travel ban and the development of enhanced screening procedures. It is likely that the number of refugees actually admitted in FY 2019 will be closer to the new ceiling, and thus higher than the actual number admitted this year. In making the announcement, Secretary of State Pompeo also pointed out that the hundreds of thousands of illegal aliens trying to prevent deportation by applying for asylum are part of the same refugee system. In fact, the United States is unusual in separating out refugees (whom we define as those we decide to bring to the U.S. from abroad) from asylum applicants (usually illegal aliens who sneak in and then demand the right to stay). The same standard in judging refugee claims, from U.N. treaties and incorporated into the Refugee Act of 1980, is used in both cases.

Reported similarly:

[Newsweek](#) [9/18/2018 7:38 AM, Chantal Da Silva, 2126K]

Despite what this administration wants, the U.S. can't close its border to asylum seekers

[The Hill](#) [9/18/2018 7:00 AM, Gregory Chen, 3846K] reports that America should never aim to deter asylum seekers from securing life-saving legal protection. But the Trump administration is implementing policies that systematically deny them protection even as families continue to flee from violence and arrive at the U.S. border in greater numbers. Last week, Customs and Border Protection announced that in August it apprehended 12,774 arriving families. The month's overall border apprehension levels are consistent with the rise in border arrivals and asylum claims being sought largely by Salvadorans, Hondurans, and Guatemalans. Since 2014, transnational gang violence and runaway domestic abuse have wracked the northern region of Central America, causing what the United Nations has declared a "refugee crisis" marked by a "significant increase in the number of people fleeing violence and persecution." As a result, many of the families reaching the U.S. southern border qualify as refugees under U.S. law.

[CA] Asylum Seekers, Violence Survivors And ICE Agents: The Local Effects of Recent Immigration Policies

[Valley Public Radio](#) [9/18/2018 12:00 PM, Monica Velez and Kerry Klein, CA] reports that following the recent story of a Yemeni family in Tulare County that gained national attention for its role in a Supreme Court case related to the Trump administration's so-called "travel ban," FM89's Monica Velez continues the conversation with a recap of how immigration policy changes have been affecting communities in the Valley. [Editorial note: consult source link for audio]

Legal News

Not on our watch': Lawyers fight to keep Trump from dismantling migrant child protections

[NBC News](#) [9/18/2018 8:24 AM, Suzanne Gamboa] reports as the government tries to back out of a 21-year-old agreement on the treatment and housing of migrant children, lawyers are pushing back with the voices of the children in detention. Hope Frye, an immigration attorney, has helped to gather the children's stories by leading visits of attorneys and advocates to Customs and Border Patrol detention centers where children are held. She hasn't liked what she's seen. Now as the federal government works to rewrite the rules spelled out under the so-called Flores Settlement — a lawsuit agreement that settled a 1997 lawsuit over child detentions — she worries what might become of children separated from parents or who have arrived unaccompanied if the Flores protections are diminished. "The obligations are very clear and the government is obligated to issue regulations that are consistent with Flores, all the things it is doing now are seriously inconsistent with Flores; they violate the contract they signed," Frye told NBC News in a telephone interview. Frye served on the board of the Center for Human Rights & Constitutional Law, the legal services organization that reached the Flores Settlement with the government in 1997, and chaired the board.

Enforcement News

Mismatched SSNs Could Pave New Path for Immigration Enforcement

[Bloomberg](#) [9/18/2018 12:00 AM, Laura D. Francis] reports that the Social Security Administration soon will start sending "no-match" letters to employers when information submitted on tax forms doesn't line up with SSA records, a practice that's been dormant for six years. Employers that don't correct the information on the tax forms could be subject to Internal Revenue Service penalties. Aside from the potential tax penalties, the letters have been viewed as evidence that a particular worker could be an undocumented immigrant who's using someone else's Social Security number in order to work. A representative for Immigration and Customs Enforcement Sept. 14 declined to comment on whether the letters would be used for immigration enforcement purposes.

ICE official stands by comparing detention centers to 'summer camp,' won't say if he'd send his kids to one

[CNN](#) [9/18/2018 8:53 PM, Tal Kopan, 28810K] reports that a senior Trump administration official on Tuesday stood by his controversial comments comparing the detention centers for immigrant families to "summer camp," but declined to answer whether he'd send his own children there. The remarks came at a congressional hearing where immigration and border security officials struggled to answer foundational questions from senators about the administration's push to expand the detention of immigrant families and children. Democratic Sen. Kamala Harris of California asked Immigration and Customs Enforcement's chief of arrests and deportations, Matthew Albence, if he stood by his comments earlier this summer that family detention centers are like "summer camp." "Absolutely I do," he said. "The point is, the parent made the illegal entry," Albence said when pressed further. "The parent put themselves in this position." Sen. Heidi Heitkamp, a North Dakota Democrat, focused on reports of sexual assault and abuse at child detention facilities, asking each agency's official whose responsibility it was to investigate those

allegations. The representatives from ICE and the Justice Department demurred. Albence said only that he was "not aware of any" accusations of sexual assault in family detention centers, which are run by ICE. The officials also said they were not familiar with medical professionals' assessments that detention is harmful to children, nor could they say whether the administration had weighed that in its policy development.

[NH] Shea-Porter calls for release of detained Indonesian

[U.S. News & World Report](#) [9/18/2018 11:08 AM, Associated Press] reports that a Democratic congresswoman from New Hampshire is calling for the release of an Indonesian woman detained since May after she was picked up at an immigration checkpoint. Rep. Carol Shea-Porter on Tuesday called the continued detention of Etty Tham "unconscionable." She also said the detention ignores a federal judge's request to have her released from a county jail and differs from the way that U.S. Immigration and Customs Enforcement handles these types of cases. Earlier this month, a federal judge temporarily halted Tham's deportation. Tham entered the U.S. in 2000 or 2001 and overstayed a tourist visa. A petition for asylum was denied. She's part of the Indonesians community in New Hampshire and Massachusetts, most of whom are Christians who fled religious persecution after the fall of former dictator Suharto in 1998.

[NJ] North Plainfield MS-13 member pleads guilty to shooting and killing Plainfield man

[Bridgewater Courier News](#) [9/18/2018 12:40 PM, Suzanne Russell, NJ] reports that a 32-year-old North Plainfield man, an alleged member of the Plainfield Locos Salvatrucha clique of the Mara Salvatrucha gang, has pleaded guilty to shooting and killing a 22-year-old Plainfield man in 2011. Jose Romero-Aguirre, aka "Conejo," pleaded guilty to the aggravated manslaughter of Andres Chach, acting Union County Prosecutor Michael A. Monahan announced in a news release Tuesday. An investigation by the Union County Homicide Task Force and Plainfield Police Division, assisted by members of the U.S. Attorney's Office in Newark, FBI and Homeland Security Investigations, resulted in Romero-Aguirre being identified as a suspect in the case.

[TN] 4 sentenced after immigration raid at Grainger County plant

[WATE](#) [9/18/2018 3:15 PM, Staff, TN] reports at least four people have been sentenced in the immigration raid on a Grainger County slaughterhouse earlier this year. According to court documents, Evelio Alejandro Bravo-Arreaga, Fidel Silva-Silva, Antonio Garcia-Martin, and Mateo Gomez-Pablo were each sentenced to time served and one-year supervised release. They will also each likely be deported. Bravo-Arreaga pleaded guilty to failing to leave the country after ordered, while the other three pleaded guilty to reentering the United States after being removed. During the raid on Southeastern Provision in Bean Station, 97 people were found who were subject to removal from the United States. Ten of those were arrested on federal criminal charges, one on state charges and 86 on administrative charges. Of the 86 administrative arrests, 54 were placed in detention and 32 were released. Owner James Brantley, 51, has pleaded guilty to two counts of failure to collect taxes, one count of employing illegal aliens and one count of wire fraud.

Reported similarly: [Citizen Tribune](#) [9/18/2018 2:05 PM, Robert Moore, TN]

[TN] MS-13 gang member convicted of brutal Tennessee assault with rifle, bleach, plastic bag, feds say

[FOX News](#) [9/18/2018 1:15 PM, Travis Fedschun, 11653K] reports an illegal immigrant and member of the notorious MS-13 street gang was convicted Monday by a federal jury on several charges, including a violent 2017 attack on a man in Nashville, prosecutors said. The U.S. Attorney's Office said Gerson Serrano-Ramirez, 31, of El Salvador, was accused of inviting a person to his home after the man asked him to stop disruptive gang activity at a nightclub. Once at the house, Serrano-Ramirez pointed an assault rifle at the man before strangling him with the rifle strap. He continued the assault by "spraying bleach into his eyes and then attempted to suffocate him by placing a plastic bag over his head," prosecutors said. The 31-year-old then clamped the man's finger with a pair of pliers while holding the rifle on him, telling the man if he told anyone about the assault that he would kill him and his mother. "MS-13 is one of the most violent and dangerous gangs in America, and the conduct that occurred in this case is further evidence of the gang's ruthlessness," said Assistant U.S. Attorney General Brian Benczkowski in a statement. Authorities said the 31-year-old had previously been deported, and illegally re-entered the country before the assault.

[TX] Honduran woman detained for nine months is denied asylum

[San Antonio Express-News](#) [9/18/2018 9:05 PM, Silvia Foster-Frau, 184K, TX] reports after nine months in Pearsall's South Texas Detention Facility as she sought asylum — getting sick from stress and promising her young son they would be reunited — Josefina Ortiz Corrales of Honduras lost her case on Tuesday. She has decided to appeal and will remain in detention until there is a final order, which could be months away. She has been detained and separated from her 4-year-old since December. Honduran gangs murdered one of Ortiz's daughters, and her partner physically abused her regularly, which Ortiz and her lawyer, Sara Ramey, argued were grounds for asylum. But under Attorney General Jeff Sessions' recent decision narrowing the scope of asylum claims, Judge Stuart Acorn told them they could scrap any arguments related to domestic or gang violence.

[NM] Man arrested after Santa Fe airport breach

[KRQE](#) [9/18/2018 12:10 PM, Staff, 43K, NM] reports that there was a breach at the Santa Fe airport. Police arrested 29-year-old Ramiro Ontiveros-Rodriguez after he bypassed airport security and ran up a runway toward a boarding flight. Police say he initially fled when they tried to catch him and said he was running from people trying to kill him. According to a criminal complaint before the incident, Ontiveros-Rodriguez tried to buy a ticket to El Paseo and during boarding, jumped a fence to try to get on the plane. Authorities are talking to ICE to see if he will be held on an immigration detainer.

[WA] Hunger strikers sue to prohibit forced feeding at Tacoma immigration detention center

[Tacoma News Tribune](#) [9/18/2018 5:51 PM, Alexis Krell, 63K, WA] reports that hunger strikers have sued to prevent being force-fed as they protest conditions at the immigration detention center on the Tacoma Tideflats. Northwest Detention Center detainees Viacheslav Poliakov and Raquel Martinez Diaz asked U.S. District Court Judge Benjamin Settle last week for an order to prohibit them being force fed; they also sought to keep hunger strikers from being threatened with segregation or being put in solitary confinement for their protests. Settle canceled a hearing in the case Tuesday, and plans to issue a written decision, according to court records. U.S. Immigration and Customs Enforcement argues it hasn't requested force-feeding orders for either detainee, but that it shouldn't be prevented from doing so. If the agency did ask for an order, it would be "a necessary

intervention so ICE can safeguard the health and well-being of its detainees," the department said in a response to the lawsuit. Martinez Diaz has been eating regularly, and Poliakov is accepting fluids and medical monitoring, ICE told the court. Supporters say at least four detainees are on hunger strikes – one joined Thursday – and that Poliakov has not eaten for 28 days. That seemed to match ICE's timeline for Poliakov's hunger strike, which the agency said it learned of Aug. 22.

[CA] 38th sex offender apprehended in Calexico

[Desert Review](#) [9/18/2018 12:13 PM, Staff, CA] reports U.S. Border Patrol agents assigned to the El Centro Sector arrested a previously deported convicted sex offender last Thursday night. Border Patrol agents near Calexico apprehended Miguel Ramirez-Gonzalez, a 43-year-old Mexican citizen, on Sept. 13 at around 10:21 p.m., after he illegally entered the United States, according to a recent press release. Border Patrol agents conducted records checks, which revealed that Ramirez was convicted for two counts of Lewd or Lascivious Acts with a child under 14 on March 29, 2007 in Oakland. Ramirez was sentenced to three years in prison and subsequently ordered removed, by an Immigration Judge on March 20, 2009, per the report. In fiscal year 2018, El Centro Sector Border Patrol agents have arrested 38 convicted sex offenders attempting to re-enter the United States after removal.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Thursday, Sept. 20, 2018

Executive Office for Immigration Review

Sessions limits U.S. judges' ability to dismiss deportation cases	2
Sessions To Review Bond Hearings For Certain Immigrants	3
Deportation Surge Feared After Sessions' Immigration Ruling	3
Senior administration officials complaining to Trump about Sessions' handling of border, official says	4
Jeff Sessions' Latest Immigration Opinion Is Another Blow To The Independence Of Immigration Judges, The Judges Union Said	4
Immigrant Rights Advocates May Sue the Trump Administration Over False Court Dates	5
[AZ] Phoenix Immigration Judge Favored by Attorneys Retiring After 28 Years	5

Policy and Legislative News

Trump hints at new executive action on immigration, wants filibuster-proof Senate majority	6
--	---

Nine Ways Trump Is Solving the Illegal-Migration Problem (Aided by Jeff Sessions).....	6
Trump Is Resuming An Anti-Fraud Policy Obama Halted — And It Could Have A Big Impact On Identifying Illegal Workers	7
The Man Behind Trump's 'Invisible Wall'	7
Trump Officials Want Lawmakers To Fix Ruling That Forces Family Separations	8
Administration again couldn't find nearly 1,500 immigrant kids.....	8
Lankford, bipartisan group introduce bill requiring better care for immigrant children	9
Trump administration faces criticism for seeking sharp cut in refugees settled in the U.S.	9
Some states back plaintiff suing DHS over Haitians' protected status	9
[CT] Conn. Refugee Agencies Plea To Admit More Immigrants.....	10

Legal News

Courts Have Deported Half of Obama's 2014's Adult Migrants	10
--	----

Veteran who was deported to Mexico returns home to the U.S.....	10	[NY] Feds secretly deport Brooklyn grandmother to Mexico after 33 years, stunning family members	12
[GA] Gov't Wants Out Of Suit Challenging Atlanta ICE Raids.....	11	[NY] Russian woman living in Schenectady sentenced for marriage fraud.....	13
[TX] Federal Judge: Prosecutor 'Absurd' for Using Deportation As Reason for Denying Bond in Criminal Case.....	11	[TN] Illegal Aliens Arrested in Slaughterhouse ICE Raid to be Deported, Owner Faces Jail Time.....	13
[WA] Judge Rules Against Hunger Strikers At Northwest Detention Center	11	[MO] Retired Episcopalian priest who served in Alton facing deportation	13
[CA] Judge upholds decision to deny family reunification to two parents with 'significant' criminal history	12	[TX] Group Of 170 Unaccompanied Illegal Immigrant Children And Families Turn Themselves In To Border Patrol Agents	14
Enforcement News		[CA] These sex offenders are begging to be deported. Why does California pay millions to keep them?	14
One in five U.S. prison inmates is a 'criminal alien'	12		

Executive Office for Immigration Review

Sessions limits U.S. judges' ability to dismiss deportation cases

[Reuters](#) [9/19/2018 4:22 PM, Kristina Cooke and Reade Levinson] reports U.S. Attorney General Jeff Sessions announced new limits on the ability of immigration judges to terminate deportation cases on Wednesday, the latest in a series of decisions to facilitate the removal of immigrants in the country illegally. Unlike the federal judiciary system, U.S. immigration courts fall under the Department of Justice and the attorney general can rewrite opinions issued by the Board of Immigration Appeals. Sessions, a Republican former U.S. senator appointed by President Donald Trump, has been unusually active in this practice compared to his predecessors. In his most recent decision, Sessions said judges can only terminate or dismiss cases in "specific and circumscribed" circumstances. Judges "have no inherent authority to terminate removal proceedings even though a particular case may pose sympathetic circumstances," he said. The decision laid out specific circumstances under which immigration judges can terminate deportation proceedings, including in cases where the government cannot prove its case for removal. Judges can also terminate proceedings if the government asks for a dismissal or to allow an immigrant time for a final hearing on a pending petition for naturalization when the matter involves "exceptionally appealing or humanitarian factors." Having a deportation case terminated does not confer legal status on an immigrant, but it does give them time to pursue other avenues of remaining in the country legally. The Department of Homeland Security can place immigrants whose cases are dismissed back into deportation proceedings with a new charging document. Dana Leigh Marks, president emeritus of the National Association of Immigration Judges, said the decision "shows again the amount of pressure being applied to judges to move cases forward toward removal as quickly as possible." The Department of Justice declined to comment.

[CNN](#) [9/19/2018 7:21 PM, Tal Kopan] reports that Attorney General Jeff Sessions continued his efforts to tighten control of the immigration courts with two quiet moves Tuesday night, even as President Donald Trump said he was "not happy" with Sessions on immigration.

In one decision, Sessions further constrained the discretion of immigration judges to show leniency to undocumented immigrants. In the other, he signaled he may restrict the ability of immigrants awaiting asylum hearings to be let out of detention. The moves are the latest in a series of steps Sessions has taken to assert his authority over the immigration courts and thus the way immigration law is enforced in the US. The immigration judges' union and the national association for immigration lawyers have decried the moves as threatening the due process rights of immigrants and the independence of judges, while immigration hardliners have hailed Sessions as restoring immigration laws to their original intent. The moves also come as Trump, who campaigned largely on his aggressive immigration views, has repeatedly attacked his attorney general publicly, including in an interview with Hill.TV on Tuesday.

Reported similarly:

[Mother Jones](#) [9/19/2018 5:26 PM, Noah Lanard]

[Think Progress](#) [9/19/2018 3:36 PM, Rebekah Entralgo, 799K, DC]

[KPBS](#) [9/19/2018 4:52 PM, Jean Guerrero, 38K, CA]

Sessions To Review Bond Hearings For Certain Immigrants

[Law 360](#) [9/19/2018 5:18 PM, Kevin Penton] reports U.S. Attorney General Jeff Sessions has referred another Board of Immigration Appeals case to himself for review, seeking to examine the authority of immigration judges to hold bond hearings for certain immigrants screened from expedited deportation proceedings. Sessions — who this year referred BIA cases to himself before crafting new U.S. Department of Justice policies limiting how immigration judges may close cases and narrowing the grounds for asylum claims — now seeks to examine whether bond hearings may proceed in light of the U.S. Supreme Court's decision in February on a related question in a case known as *Jennings v. Rodriguez*, according to Tuesday's notice. Sessions requested that interested parties submit amicus briefs by Oct. 9 on whether a 2005 BIA case known as *Matter of X-K-*, which allowed the immigration judges to hold the hearings, should be overruled in light of *Jennings*, according to the notice. In May, Sessions barred immigration judges and the BIA from using "administrative closures," which allow some individuals suspected of being in the U.S. without authorization to remain in the country in a quasi-legal limbo as their petitions are ostensibly reviewed.

Deportation Surge Feared After Sessions' Immigration Ruling

[Law 360](#) [9/19/2018 9:36 PM, Nicole Narea] reports U.S. Attorney General Jeff Sessions' Tuesday decision mostly revoking immigration judges' power to dismiss or terminate removal proceedings undercuts their discretionary powers and accelerates deportations, according to attorneys. Sessions, who issued a decision in a precedential Board of Immigration Appeals case he referred to himself, argued that immigration judges cannot unilaterally end deportation proceedings except in situations explicitly outlined in regulations or with the approval of the U.S. Department of Homeland Security. Attorneys said that, in doing so, Sessions undermined immigration judges' ability to manage their own dockets and cut off an avenue of relief for immigrant petitioners who might have pending applications before immigration agencies. Cases that immigration judges might have previously deemed

unworthy of pursuit may now be sent to the deportation pipeline as a result, they said. "Sessions has the ultimate goal of making immigration courts into assembly lines issuing removal orders in larger numbers and at higher speeds," said Jeffrey Chase, a former immigration judge and legal adviser to the BIA. "He is methodically removing from immigration judges any tool or relief that might favor the noncitizen in proceedings." Chase said that immigration judges might have previously terminated cases in which proceedings were inappropriately initiated, where U.S. Immigration and Customs Enforcement cannot meet its burden of establishing an immigrant's removability, or where it makes administrative sense. For example, it might allow a noncitizen to depart the country to attend a consular interview or for DHS to adjudicate an application rather than the court, he said.

Senior administration officials complaining to Trump about Sessions' handling of border, official says

[CNN](#) [9/20/2018 12:00 AM, Boris Sanchez and Kyle Feldscher] reports President Donald Trump's anger over Attorney General Jeff Sessions' job performance at the border is tied to complaints made by several senior administration officials, according to a White House official close to discussions on immigration policy. The official tells CNN Trump has heard directly from high-ranking figures who are upset over the pace at which the Department of Justice has moved to adjudicate asylum claims, resulting in a backlog of cases. The official says while this is likely "palace intrigue" because the Justice Department "is doing their part," the complaints have only compounded Trump's frustration about a stalled immigration agenda and his anger with Sessions that stems from his decision to recuse himself from the Russia probe last year. In response, a Justice Department official told CNN that the DOJ is only partly responsible for the backlog and the department has announced the steps it is taking to help reduce it. There is a massive backlog in immigration courts that is up to hundreds of thousands of cases. Part of the problem is that there are only about 350 immigration judges nationwide, and the President has seemed resistant to hiring more judges, despite Sessions' urging to increase hiring. The Justice Department has also worked to cut the time it takes to hire a new immigration judge in half, according to a news release from the department. Sessions has previously said the Department of Homeland Security, which conducts interviews on individuals seeking asylum in the US, ends up approving too many asylum applications. "And the adjudication process is broken as well," Sessions said in an October 2017 speech. "DHS found a credible fear in 88% of claims adjudicated. That means an alien entering the United States illegally has an 88% chance to avoid expedited removal simply by claiming a fear of return."

Jeff Sessions' Latest Immigration Opinion Is Another Blow To The Independence Of Immigration Judges, The Judges Union Said

[BuzzFeed](#) [9/19/2018 3:17 PM, Zoe Tillman, 11771K] reports that a representative of the national union of immigration judges says a new decision by Attorney General Jeff Sessions about the authority of judges to dismiss immigration cases is part of a broader effort by Sessions to limit their independence. In an opinion released Wednesday by the Justice Department, Sessions wrote that immigration judges do not have "free-floating power" to dismiss removal proceedings. Judges could dismiss a case if the Department of Homeland Security failed to meet its burden of proof, Sessions wrote, or if specific conditions spelled out in existing regulations were met. Sessions reversed an immigration judge's decision to terminate a removal case, finding it wasn't based on the law or regulations. Judge Dana Marks, a representative of the National Association of Immigration Judges and an

immigration judge in San Francisco, told BuzzFeed News in an email that some judges, including herself, already interpreted the law as Sessions did, but a "very reasonable legal argument to the contrary" could be made. She said the decision more broadly demonstrated the Trump administration's "political approach" to immigration courts.

Immigrant Rights Advocates May Sue the Trump Administration Over False Court Dates

[Pacific Standard](#) [9/19/2018 11:00 AM, Massoud Hayoun, 110K] reports that immigrant rights advocates are weighing legal action against the Trump administration for sending undocumented immigrants summonses with false court dates. The immigrants are reportedly showing up for hearings that don't exist, unnecessarily burdening already overwrought court staff at a time when the White House is ostensibly working to fulfill pledges to slash a growing caseload. For a little over a month now, immigrant rights advocates have seen summonses for dates when the judge couldn't possibly hear a case and have received reports of immigrants showing up for hearings only to find that they had arrived unexpected, says Camille Mackler, director of legal policy at the New York Immigration Coalition. In June, the Supreme Court ruled in *Pereira v. Sessions*, Attorney General that immigration officials have to put a time and place on summonses to begin deportation proceedings. "We are reasonably certain [the false dates on summonses since then] are to get around the Supreme Court requirements," Mackler says. Mackler adds that immigrant rights advocates are "still getting our ducks in a row" but that "there's a very good chance that there could be a legal challenge" to the legality of supplying immigrants with false court dates just to expedite deportation proceedings.

Immigration and Customs Enforcement did not respond to a request for comment. An automatic reply from ICE's media team read that "the entire ICE public affairs team is out of the office the week of Sept. 17 attending a training seminar." The Department of Homeland Security and the Department of Justice did not respond to requests for comment.

[AZ] Phoenix Immigration Judge Favored by Attorneys Retiring After 28 Years

[Phoenix New Times](#) [9/19/2018 8:00 AM, Steven Hsieh, 83K, AZ] reports, ask a Phoenix immigration attorney who their favorite judge is. Many will say Judge John Richardson. He's the same judge who stopped the deportation of four high school students, known as the Wilson Four, who were detained by immigration officials during a 2002 class trip to the Niagara Falls. That decision made headlines – and drew criticism. He was considered the go-to judge for juvenile defendants, and accordingly kept a box of toys in his courtroom. When the Obama administration encouraged judges to close low-priority deportation cases, he exercised this new discretion liberally. Now, Richardson is retiring after 28 years on the bench. He's one of two Phoenix immigration judges stepping down on September 30. Judge Wendell Hollis, who was appointed in 2003, will also hang up his robes.

Phoenix's six immigration judges preside over thousands of cases every year, including removal proceedings. A spokesperson for the Executive Office of Immigration Review, a Department of Justice agency that oversees the immigration courts, did not respond to questions about when the two judges will be replaced. "EOIR constantly monitors its caseload nationwide to determine current and future immigration judge assignments, including shifting resources to meet needs in the most efficient possible manner," said spokesperson Teresa Kaltenbacher.

Policy and Legislative News

Trump hints at new executive action on immigration, wants filibuster-proof Senate majority

[The Hill](#) [9/19/2018 3:09 PM, John Solomon and Buck Sexton] reports that President Trump hinted in an interview with Hill.TV that he will use his executive powers to do more on immigration before the midterm elections. "I'll be doing things over the next two weeks having to do with immigration, which I think you'll be very impressed at," the president said during an exclusive 45-minute Oval Office interview on Tuesday with Hill.TV. He declined to say what the impending action might be. Several senior aides told Hill.TV that they didn't know what the president intends to do. Trump accused Democrats of opposing his wall on the Mexican border only to spite him given the fact that it was one of his signature 2016 election promises, and he said he needed a filibuster-proof GOP majority in the Senate — or an end to the legislative filibuster. [Editorial note: consult source link for video]

Reported similarly: [Breitbart](#) [9/19/2018 11:26 AM, Neil Munro, 2213K]

Nine Ways Trump Is Solving the Illegal-Migration Problem (Aided by Jeff Sessions)

[Breitbart](#) [9/19/2018 4:57 PM, Neil Munro, 2213K] reports President Donald Trump is angry at the deputy who has done the most to implement his campaign promise to end illegal immigration — Attorney General Jeff Sessions. But Sessions' "Department of Justice is absolutely critical to achieving Trump's immigration agenda," said Jessica Vaughan, policy director at the Center for Immigration Studies. Sessions runs "the immigration courts and the prosecution of criminal aliens and other serious immigration violators," she said. Here are the top nine measures that President Donald Trump — aided by Jeff Sessions — is taking to shut down the beginning, middle, and end of the illegal migration pipeline.

Prosecution of Illegal Immigrants. Sessions has dramatically accelerated the prosecution of adult illegal immigrants, ensuring the rapid conviction of 30,000 illegal migrants by the end of July. Few of the adult migrants are kept in jail, but the convictions raise the deterrent because they ensure those repeat offenders can be detained for two years if they cross the border again.

Asylum Reform. Sessions has narrowed the pipeline entry by ending President Barack Obama's offer of asylum to people who have a "credible fear" of criminal gangs and brutal spouses. The reform allows border officers to quickly send many migrants home after about 40 days of legal processing time.

Judges. These various reforms leave a huge number of "family unit" and UAC migrants in the middle of the migration pipeline, but living and working somewhere in the United States. Many migrants have disappeared into the illegal-immigrant population, but at least 730,000 have legal cases pending in the over-crowded immigration courts. The resulting delays invite more immigrants because long delays allow people with pending cases to get work-permits. In 2017, for example, DHS officials were forced to give out 400,000 work permits to migrants with pending courtroom decisions.

ICE Enforcement. The rising percentage number of deportation orders is a vital part of closing the migration pipeline. But it is insufficient unless Nielsen's U.S. Immigration Customs Enforcement agency finds and returns migrants to their homes. The deportation

task is difficult because Democrats, mayors, employers, and establishment media outlets are eager to shield migrants — and their children — from deportation. For example, a growing percentage of Democratic legislators say that want to abolish, defund or hobble ICE so that it cannot return migrants who are ordered home by judges.

Trump Is Resuming An Anti-Fraud Policy Obama Halted — And It Could Have A Big Impact On Identifying Illegal Workers

[The Daily Caller](#) [9/19/2018 2:10 PM, Will Racke, 984K, DC] reports the Trump administration will resume notifying U.S. businesses when information submitted on employee tax forms doesn't match up with social security records, a longtime practice halted by the Obama administration. Beginning in 2019, the Social Security Administration will send "no-match" letters to employers when a name and social security number combination provided by an employee does not match the agency's records for that number. Employers who fail to correct the records could be subject to IRS tax penalties, Bloomberg Law reported Tuesday. The resumption of no-match letters also has significant implications for identifying illegal immigrants who have stolen a U.S. citizen's social security number and used it to prove work authorization. As many as three-quarters of the 7 million illegal immigrants in the U.S. workforce possess a social security number that belongs to somebody else, according to SSA estimates. No-match letters can be considered preliminary evidence that a worker is an illegal immigrant who appropriated a social security number to gain employment, according to a September report from the Immigration Reform Law Institute.

The Man Behind Trump's 'Invisible Wall'

[Politico](#) [9/20/2018 3:00 AM, Ted Hesson] reports this summer, as anger over the separation of migrant families at the border boiled over, and the abolition of Immigration and Customs Enforcement (ICE) became a rallying cry for left-leaning Democrats, a number of less scrutinized, more arcane reforms were quietly working their way into the most foundational laws governing U.S. immigration. One was the establishment of a "denaturalization task force" that pledges to investigate immigration fraud and strip away citizenship in such cases — something that's historically been reserved for serious criminals or terrorists. Another was a new memo that allows visa officers to deny applications without first requesting more evidence or notifying an applicant. Then there's the refugee program, which has been decimated as the administration slashes the level of admissions and redirects its resources to domestic asylum cases — people who have already arrived safely in the United States. And coming soon: a controversial proposed regulation that could prevent immigrants from obtaining green cards if they or their family members have used a public benefit, which is expected to include everything from food stamps to health insurance programs. The man overseeing these reforms isn't Stephen Miller, the White House aide publicly known as the architect of Donald Trump's most restrictionist immigration policies. It's Lee Francis Cissna, the director of U.S. Citizenship and Immigration Services (USCIS), an agency that not only facilitates legal immigration, but historically celebrates it. Miller is rightly seen as the mastermind of Trump's far-reaching immigration crackdown, but Cissna is arguably just as important because he makes it happen. Much less visible than Miller or Department of Homeland Security Secretary Kirstjen Nielsen, Cissna has quietly carried out Trump's policies with a workmanlike dedication. From his perch atop USCIS, he's issued a steady stream of policy changes and regulations that have transformed his agency into more of an enforcement body and less of a service provider.

Trump Officials Want Lawmakers To Fix Ruling That Forces Family Separations

[The Daily Caller](#) [9/19/2018 11:55 AM, Joshua Gill, 984K, DC] reports that the Trump administration asked Congress to amend a ruling that forces family separations by limiting how long children accompanying illegal immigrants can be detained. Officials from the Department of Homeland Security and the Department of Justice told the Senate Homeland Security and Governmental Affairs Committee Tuesday that the 1997 Flores Agreement must be amended. The Flores Agreement stipulates that the government cannot detain children accompanying migrants for more than 20 days, forcing the government to either separate families by detaining adults for prosecution or release families with a pending court date. The latter "catch and release" method, known as alternatives to detention, in which families may avoid detention and remain under electronic forms of monitoring, has often resulted in released families skipping their court dates and failing to respond to removal orders.

Robert E. Perez, the acting deputy commissioner for U.S. Customs and Border Protection, said that as a result, the Flores Agreement not only hampers law enforcement's ability to stem the tide of illegal immigration, but also creates an obvious loophole for smugglers to exploit. "It creates a business model for smugglers," Perez told the committee, according to The New York Times. Amending the Flores Agreement to allow for the detention of migrant children with their families could take away one of the incentives for illegal immigration, acting deputy assistant attorney general Joseph Edlow said. Modification to the agreement could also help relieve the immense backlog of over 700,000 migrant cases in immigration courts' "non-detained" bracket, as proceedings for cases in that bracket typically last for years while cases for detained migrants are usually adjudicated after an average stay of 40 days.

Reported similarly: [VOA News](#) [9/19/2018 1:33 PM, Staff, DC]

Administration again couldn't find nearly 1,500 immigrant kids

[CNN](#) [9/19/2018 4:31 PM, Tal Kopan] reports that the Trump administration again could not determine where nearly 1,500 immigrant children were over a three-month period this year, the second time in less than a year that it admitted it had lost track of hundreds of undocumented children released from U.S. custody. The findings were released on Tuesday by a bipartisan group of senators who have been working on the issue, as they propose legislation that would make the government responsible for these children even after they are released. The lack of certainty about where the children are does not necessarily mean they are lost. It could be as simple as no one in the home picking up the phone when Health and Human Services called or not responding to a message. It's possible that some of the families are undocumented and avoiding the government. But it is also possible the children could have ended up with traffickers or people meaning to do them harm.

Lawmakers are introducing legislation that would place more responsibility on the government to keep tabs on the children once they are released from custody. One of the bill's cosponsors, Sen. James Lankford, an Oklahoma Republican, said in a hearing on Tuesday that he also would like to see HHS no longer place undocumented children with anyone who is in the U.S. illegally. An Immigration and Customs Enforcement official who was testifying, Matthew Albence, said that would eliminate roughly 80% of sponsors.

[The Hill](#) [9/19/2018 7:36 AM, Justin Wise] reports, "As communicated to members of

Congress multiple times, these children are not 'lost,'" Caitlin Oakley, a spokeswoman for HHS, said in a statement to the Times. "Their sponsors — who are usually parents or family members and in all cases have been vetted for criminality and ability to provide for them — simply did not respond or could not be reached when this voluntary call was made."

Reported similarly:

[Huffington Post](#) [9/19/2018 9:17 PM, Garance Burke]

[Washington Examiner](#) [9/19/2018 5:48 PM, Diana Stancy Correll, 535K, DC]

[WJLA](#) [9/19/2018 6:00 PM, Leandra Bernstein, 106K, VA]

Lankford, bipartisan group introduce bill requiring better care for immigrant children

[KOKH Oklahoma City FOX 25](#) [9/19/2018 9:09 AM, Dan Snyder, 15K, OK] reports that a bipartisan group of Senators says a federal agency needs to take better care of immigrant children. Oklahoma Senator James Lankford, along with Senator Rob Portman (R-OH), Richard Blumenthal (D-CT) and Tom Carper (D-DE), introduced legislation Tuesday that would require the Department of Health and Human Services to take better care of immigrant children brought into the country immediately. The legislation comes following a report from the Permanent Subcommittee on Investigations in August that showed HHS could not determine with certainty the whereabouts of nearly 1,500 of the 11,254 children the department had placed with a sponsor. The senators say 25 children had run away from their sponsors from April 1 to June 30, 2018 alone. "Congress should work to stop illegal border crossings by all individuals, but until that can be accomplished, the Department of Health and Human Services has an obligation to ensure the safety of unaccompanied minors even after they are placed with a sponsor," said Lankford. The Responsibility for Unaccompanied Minors Act would require HHS to run background checks on sponsors and make sure the sponsor is living up to commitments of taking care of the minor as well as ensure they show up for court proceedings. HHS would also be required to notify state officials before placing a minor in the state. Finally, the legislation increases the number of immigration court judges, a move President Donald Trump had previously rejected.

Trump administration faces criticism for seeking sharp cut in refugees settled in the U.S.

[Los Angeles Times](#) [9/19/2018 9:50 AM, Tracy Wilkinson, 3575K] reports facing backlash over the decision to drastically limit the number of refugees who will be permitted to settle in the United States, State Department officials are attempting to defend the move and soften its impact. But ultimately, the proposed new quota — a third of last year's number and an all-time low — will likely remain the same or even smaller because it fits into President Trump's broader policy, which critics say is aimed at reducing the number of foreign-born people in the United States. Amid what the United Nations calls the worst refugee crisis since World War II, millions of people have fled war, famine or political repression in the Middle East, Africa and more recently, Central and South America. Despite some polls that show general public support for refugees, Trump has been accused of trying to build political capital among his base by stoking fear of immigrants and apathy toward refugees.

Reported similarly: [Los Angeles Times](#) [9/19/2018 7:05 AM, Editorial Board, 3575K]

Some states back plaintiff suing DHS over Haitians' protected status

[The Hill](#) [9/19/2018 2:29 PM, Megan Keller] reports that California, Massachusetts and Washington, D.C., are leading a multistate coalition supporting plaintiffs fighting the Trump

administration's decision to end temporary protected status (TPS) for thousands of Haitian nationals. "We will continue to fight the Trump Administration's wrongheaded actions tearing families apart," said California Attorney General Xavier Becerra in a press release released Wednesday. California, Massachusetts, and D.C. are joined by Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Virginia, Vermont and Washington. The amicus brief argues that revoking TPS from Haitian recipients will force families whose children were born in the U.S. to choose between keeping their family together and letting their children stay in America.

[CT] Conn. Refugee Agencies Plea To Admit More Immigrants

[WSHU Public Radio](#) [9/19/2018 8:51 AM, Cassandra Basler, CT] reports that this week, the Trump administration announced the lowest number of refugee admissions in the history of the program. Refugee agency leaders in Connecticut asked Congress on Wednesday to accept more next year. The State Department says the U.S. is accepting just 30,000 refugees in order to concentrate on a backlog of asylum seekers in the country. Chris George, who leads Integrated Refugee and Immigrant Services, or IRIS, in New Haven, says the number of asylum seekers is exaggerated. "This country has always been able to do both, to deal with asylum seekers who are in this country and then also have a strong overseas refugee processing program. It's not one or the other." George says up to 45,000 refugees could have been taken in this year. That's down from 110,000 in the last year of the Obama administration.

Legal News

Courts Have Deported Half of Obama's 2014's Adult Migrants

[Breitbart](#) [9/20/2018 1:21 AM, Neil Munro, 2213K] reports federal agents have repatriated 90 percent of the Mexicans and 45 percent of the Central American adults who created the border crisis of 2014, but only a tiny share of the 2014 "Unaccompanied Alien Children," according to September 2017 data reported by the Department of Homeland Security. Another one-third of the Central American UACs and one-fifth of the Central Americans adults were ordered home by judges, but had fled into hiding, says the report by the Department of Homeland Security. Overall, only about 2 percent of the 2014 Mexicans, 5 percent of the 2014 "Northern Triangle" Central Americans and 20 percent of the 2014 Central American UACs had been approved by judges to stay in the United States by last September, the report says. The clogged immigration courthouses ensured that judges were still working on legal claims filed by roughly 25 percent of the Central American migrants and 45 percent of Central American UACs, as of last September.

Veteran who was deported to Mexico returns home to the U.S.

[Los Angeles Times](#) [9/19/2018 3:10 PM, Alejandra Reyes-Velarde, 3575K] reports that eight years after immigration officials detained Fabian Rebolledo in his Baldwin Park home and deported him to Tijuana, the U.S. Army veteran has returned home. In 2007, a check he received from one employer turned out to be fraudulent — that would be the offense that led to his deportation. In 2015, Proposition 47 made it possible for Rebolledo's fraud charge to be reduced to a misdemeanor. UC Irvine School of Law graduates Andani Alcantara Diaz and Danielle Nygren were able to file a motion with the Board of Immigration Appeals to reopen his case. In August, a judge closed the case, giving him the OK to return to the U.S.

Reported similarly: [FOX News](#) [9/19/2018 5:26 PM, Louis Casiano]

[GA] Gov't Wants Out Of Suit Challenging Atlanta ICE Raids

[Law 360](#) [9/19/2018 4:14 PM, Suzanne Monyak] reports the federal government on Tuesday urged a Georgia federal court to toss a suit brought by three U.S. citizen children accusing U.S. Immigration and Customs Enforcement of illegally detaining them during a series of raids near Atlanta, arguing the children fail to state a claim for relief. The government contends in its motion to dismiss that the children have not satisfied the elements required to state a claim under the Federal Tort Claims Act, saying ICE has the legal authority to conduct the immigration sweeps because the agency is allowed to arrest any noncitizen without a warrant if it has "reason to believe" the individual is in the country without legal permission. The government also said the agents had orders of removal for some of the immigrants in the homes. "The ICE agents had legal authority to enter the premises to effectuate arrests and detentions for purposes of enforcing federal immigration laws, thereby barring plaintiffs' claim," the government's motion says. The government also said in the motion that the children's alleged emotional distress stemming from the raids on their homes is not severe enough to merit damages under the law.

[TX] Federal Judge: Prosecutor 'Absurd' for Using Deportation As Reason for Denying Bond in Criminal Case

[Texas Lawyer](#) [9/19/2018 3:26 PM, Angela Morris, TX] reports that a federal judge has called a U.S. prosecutor's argument absurd and a problem of the government's own making in a recent ruling that highlights the clash between criminal court processes and the nation's increasingly controversial immigration policies. Magistrate Judge Andrew Austin of the U.S. District Court for the Western District of Texas in Austin was frustrated by the prosecutor's reasoning about why Austin should keep a defendant in jail rather than release him on pretrial bond for a felony charge of unlawful reentry. Unlawful re-entry cases have grown increasingly common under the Trump administration as it charges immigrants at the border en masse with the crime, and as U.S. Immigration and Customs Enforcement sweeps up undocumented immigrants in raids on employers. Austin wrote that the prosecutor, Assistant U.S. Attorney Mark Marshall, argued that the court must detain the defendant, Edgar Alfredo Valladares, because he posed a significant flight risk. Why? Immigrations and Customs Enforcement planned to deport Valladares if he was released from jail.

[WA] Judge Rules Against Hunger Strikers At Northwest Detention Center

[KNKX](#) [9/19/2018 7:46 PM, Will James, 12K, WA] reports that a federal judge in Tacoma has ruled against people on hunger strike inside the Northwest Detention Center, denying their request for an emergency order protecting them from force-feeding. U.S. District Court Judge Benjamin Settle sided Wednesday with U.S. Immigration and Customs Enforcement, or ICE. Lawyers for the agency argued the government cannot be sued for what guards at the detention center do or say because the guards work for a private contractor, the GEO Group. In his decision, he cited a past case that found the federal government "cannot be held vicariously liable for the negligence of an employee of an independent contractor." At least six times, federal judges in Western Washington have approved ICE's requests to force-feed detainees, attorneys for the agency said in a court filing. They said details of the cases are sealed due to sensitive personal or medical information. That history was a surprise for activists who have monitored the detention center for years. "We didn't expect

that anybody had been force-fed, at least in this western part of the state," said Maru Mora Villalpando, a leader of the group Northwest Detention Center Resistance.

[CA] Judge upholds decision to deny family reunification to two parents with 'significant' criminal history

[San Diego Union-Tribune](#) [9/19/2018 2:40 PM, Kristina Davis, 320K, CA] reports that a San Diego judge has denied the request of two migrant parents wishing to reunite with their young children, ruling Wednesday that the federal government has the discretion to determine if their criminal backgrounds present a possible danger. The seriousness of a parent's criminal history is the latest issue to be challenged as part of the massive, court-ordered effort to reunify some 2,600 families that had been separated at the border. The case of Ms. Q. – accused in an outstanding arrest warrant in El Salvador of being a gang member – and Mr. C. – with a misdemeanor conviction from eight years ago for swinging a machete at his wife – was the first tests. When U.S. District Judge Dana Sabraw first ordered the family reunifications as part of a preliminary injunction on June 26, he excluded from the class all parents with criminal histories. "The record indicates Defendants have vetted these parents in good faith and made principled decisions in light of their criminal history and overarching concerns regarding safety of their children and the public," the judge wrote. Sabraw also noted that the government has the authority to decide who to detain and who to parole, and that nothing in the family separation litigation aims to limit that power. In the case of both Ms. Q. and Mr. C., authorities determined neither was appropriate to be reunited with their children and then held at family detention centers, where other youth are housed. While in ICE custody Ms. Q. passed a "credible fear" test, the first step in the asylum process. Later, the judge in her immigration hearing – after asking the government for more evidence but getting none – determined she was not a danger. He did deny her bond after finding she was a flight risk. Government attorneys confirmed the warrant is still active: "The government of El Salvador has expressed continued interest in the capture of Ms. Q., and will continue to work with ICE on the matter," authorities said.

Enforcement News

One in five U.S. prison inmates is a 'criminal alien'

[The Hill](#) [9/19/2018 9:00 AM, Sharyl Attkisson, 3846K] reports that new, little-reported statistics seem to prove two competing points in the illegal immigration debate. First, it's true that most illegal immigrants are not imprisoned for committing additional crimes (beyond coming here illegally) in the United States. One might fairly deduce that most are otherwise law-abiding. But "criminal aliens" – those who engage in other criminal acts – do make up a disproportionate number of inmates in our prisons and jails. Seeing the numbers, one might fairly deduce that they commit serious crimes at a significantly higher rate than those in the U.S. legally.

[NY] Feds secretly deport Brooklyn grandmother to Mexico after 33 years, stunning family members

[New York Daily News](#) [9/19/2018 2:20 PM, Elizabeth Elizalde and Larry McShane, 1842K, NY] reports that a 33-year Brooklyn resident who served as matriarch for two generations of U.S. citizens was deported in the dark of night to her native Mexico, her family said Wednesday. Gloria Hernandez Suarez, after two months inside an Immigration and

Customs Enforcement detention facility in New Jersey, was shipped out of the U.S. on Tuesday night without a word of warning to her family. Suarez arrived in the U.S. in 1985, raising four children in her new country and eventually baby-sitting her American grandkids. But she landed on ICE's radar after a 2001 return to Mexico when she reentered the U.S. with a phony ID. A lawyer's subsequent bad advice eventually led ICE to Suarez, 61, who was arrested July 16 in her home.

[NY] Russian woman living in Schenectady sentenced for marriage fraud

[Schenectady Daily Gazette](#) [9/19/2018 10:53 AM, Steven Cook, 25K, NY] report that a Russian citizen living in Schenectady and convicted of conspiring to commit marriage fraud received two years of probation at her sentencing this week, federal prosecutors said. Yana Potapova, 29, was convicted in March of conspiring with a U.S. citizen to obtain lawful immigration status. Potapova had overstayed her visitor visa and was here illegally at the time, prosecutors said. The jury found that she and Brett Thompson agreed in April 2014 to marry so she could stay in the U.S., prosecutors said. In return for agreeing to marry her and stay married to her, Thompson received about \$3,500, prosecutors said. Potapova then falsely told immigration authorities that she and Thompson lived together in Albany. Thompson previously pleaded guilty to conspiracy to commit marriage fraud and is awaiting sentencing. She previously served 60 days in the Albany County Jail related to an immigration enforcement matter that is pending, officials said. She is scheduled to appear before an immigration court next month, according to a defense filing.

[TN] Illegal Aliens Arrested in Slaughterhouse ICE Raid to be Deported, Owner Faces Jail Time

[Breitbart](#) [9/19/2018 8:39 PM, John Binder, 2213K] reports at least four illegal alien workers at a Tennessee slaughterhouse will likely be deported after they were sentenced, while their employer is set to face jail time. Illegal aliens Evelio Alejandro Bravo-Arreaga, Fidel Silva-Silva, Antonio Garcia-Martin, and Mateo Gomez-Pablo were sentenced this week following an Immigration and Customs Enforcement raid at Southeastern Provision in April, as Breitbart News reported. Each of the illegal aliens is likely to be deported, as they were sentenced to time served and given a year of court-ordered supervision, WATE ABC6 reported. The owner of the slaughterhouse, 51-year-old James Brantley, is facing jail time for employing illegal aliens, along with allegedly committing wire fraud and tax fraud. In total, the massive ICE raid led to 97 arrests, including ten illegal aliens arrested on federal charges and one illegal alien who was arrested on state charges. Of the remaining 86 illegal aliens, 54 were detained by ICE and 32 were eventually released.

[MO] Retired Episcopalian priest who served in Alton facing deportation

[St. Louis Post-Dispatch](#) [9/19/2018 6:45 PM, Leah Thorsen, 350K, MO] reports that a retired Episcopalian priest is facing deportation to his native England, and supporters are rallying to help him stay in the Alton area as a hearing in immigration court looms next week. The Rev. David Boase is accused of voting illegally in one federal election while in the United States – something he said he didn't know was against the law at the time. He's set to appear in immigration court Sept. 28 in Kansas City, where he'll likely ask to be allowed to leave the country voluntarily, said his attorney, David Cox. If a judge orders him deported, he could be barred from returning to the United States for 10 years or longer. A voluntary departure would allow him to apply for a visa to return much sooner, and without a deportation on his record.

[TX] Group Of 170 Unaccompanied Illegal Immigrant Children And Families Turn Themselves In To Border Patrol Agents

[The Daily Caller](#) [9/19/2018 1:42 PM, Neetu Chandak, 984K, DC] reports a group of 170 unaccompanied illegal immigrant children and families turned themselves in to Border Patrol officials in Texas on Tuesday. The smuggled group sought the first agents they could find after midnight, U.S. Customs and Border Protection reported Tuesday. The illegal immigrants are being processed by Border Patrol officials. "As agents prepared the group for transport, the criminal organizations took advantage of the limited resources and simultaneously attempted to smuggle multiple other groups whom actively attempted to evade apprehension," according to CBP. A combined total of over 16,000 unaccompanied youth and people traveling in family units were either detained along the southwest border or were deemed inadmissible at entry ports in August, according to CBP figures released Sept. 12. "Smugglers and traffickers understand our broken immigration laws better than most and know that if a family unit illegally enters the U.S. they are likely to be released into the interior," Department of Homeland Security spokesman Tyler Houlton said in a statement, The Daily Caller News Foundation previously reported.

[CA] These sex offenders are begging to be deported. Why does California pay millions to keep them?

[Sacramento Bee](#) [9/19/2018 1:32 PM, Mackenzie Mays, 587K, CA] reports Leo Gutierrez has a healthy kidney waiting for him in El Salvador. But he can't get to it. Despite his pleas to be deported to his home country, where relatives have offered their organs for transplant, the state of California pays thousands of dollars for him to receive dialysis three times a week at Coalinga State Hospital. Gutierrez is a sexually violent predator, among nearly 1,300 men in a special class of sex offenders who, under state law, are sent to the Fresno County mental health hospital after serving their prison sentences. He's also one of at least 30 men at the hospital who are undocumented. "I asked (Immigration and Customs Enforcement) why they don't pick me up. They said the hospital says I'm still paying for a crime. But that's not true. I finished my time in 2001," Gutierrez, 49, said. The undocumented men at Coalinga State Hospital are in a unique predicament that seems to be nobody's jurisdiction. They aren't prisoners, they are "civil detainees." They entered the country illegally, committed crimes and served their prison sentences. But a state-mandated mental evaluation of sex offenders – a policy that went into effect in 1996 – put them in Coalinga instead of back into society. The Department of State Hospitals says that it does not track patients' immigration status, and that only a judge can decide if patients are ready to be released; ICE says the decision is up to the state. ICE did not answer specific questions about undocumented patients at Coalinga State Hospital, but a spokesman said the decision regarding their custody is determined by the state of California. "If ICE has an interest in an individual after being released from custody, our agency would review the case and make appropriate decisions regarding next steps," spokesman Richard Rocha said in an email.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Friday, Sept. 21, 2018

Executive Office for Immigration Review

Sessions limits ability of judges to dismiss deportation cases	2
Sessions to Reevaluate Bond for Asylum Seekers.....	2
Report: Still not enough judges working immigration court.....	2
[CA] More immigration judges are coming to L.A. Will that alleviate the nation's second-largest backlog?	3

Policy and Legislative News

Health and Human Services secretary confronts migrant child crisis	3
New Bill Would Hold HHS Feet to Fire for Unaccompanied Minors	4
GOP senator writes bill to solve family separations.....	4
34 More separated kids released; hundreds remain in custody.....	5
Federal agency can't determine whereabouts of nearly 1,500 illegal immigrant minors.....	5

ICE arrested immigrants who came forward to take in undocumented children	5
[NY] Queens Assemblyman calls for end of indefinite detention of asylum seekers in New York jails	6
[NY] NYC Council votes to abolish ICE 6	
[VA] At City Council meeting, Bellamy talks about ongoing struggle to end ICE notifications in region.....	7

Legal News

For rural, unauthorized immigrants and migrant farmworkers, finding a lawyer can mean a long road.....	7
9th Circ. To Rehear Case Over Counsel For Immigrant Minors	8
[DC] D.C.'s Sanctuary City Status Has A Major Loophole: Superior Court.....	8

Enforcement News

[NY] Feds Quietly Deport Flatbush Grandmother, Activists Say	8
[NJ] NJ green card holder, detained over 11-year-old conviction, avoids deportation	9

[GA] Fitzgerald man handed federal court sentence, two found illegally in southwest Georgia	9
[GA] Remove all ICE prisoners from our jail: Atlanta mayor.....	9
[AR] ICE detains 12 people in Batesville in drug operation	10
[MI] Michigan Dept of Civil Rights: Stop deportation of deaf immigrant	10
[IL] Retired Illinois priest faces deportation over illegal vote	10

[TX] Smugglers schemed to bypass Texas border agents with migrant families distraction.....	10
[AZ] Arizona Border Patrol Arrests 193 Illegal Immigrants In Two Hours	11
[CA] 'So Happy To Be Back Home': Deported Army Veteran Returns To California	11
[CA] Fresno Bee: California Pays Millions to Keep Illegal Alien Sex Offenders from Deportation	12

Executive Office for Immigration Review

Sessions limits ability of judges to dismiss deportation cases

[The Hill](#) [9/20/2018 9:31 AM, John Bowden, 3846K] reports that Attorney General has placed new limits on U.S. immigration judges serving under the Department of Justice, prohibiting them from dismissing deportation cases except under "specific" circumstances. Reuters reports that new guidelines implemented by the Justice Department this week state that judges can only dismiss immigration cases under "specific and circumscribed" conditions, such as when the government cannot prove its case or when the case involves "exceptionally appealing or humanitarian factors."

When a deportation case is dismissed, it does not grant legal immigration status. The Department of Homeland Security can re-file charges to attempt to spark deportation procedures, but the practice of dismissing cases has often given immigrants time to pursue different avenues of obtaining legal citizenship, according to Reuters. A group representing immigration lawyers with cases before the Justice Department, the American Immigration Lawyers' Association, slammed Sessions's latest decision as the latest move by the attorney general to undermine the independence of judges in the agency.

Sessions to Reevaluate Bond for Asylum Seekers

[Bloomberg Law](#) [9/20/2018 8:59 AM, Bernie Pazanowski] reports that Attorney General Sessions wants to reevaluate whether immigration judges may hold bond hearings for immigrants seeking asylum in the U.S. The review is mandated by recent U.S. Supreme Court precedent, Sessions said. The move comes as the Trump administration continues its crackdown on U.S. immigration policy and treatment of illegal immigrants. If Sessions decides to overrule the Board of Immigration Appeals precedent, asylum seekers may be subject to indefinite detention while their requests are pending.

Reported similarly: [KFOX 14](#) [9/20/2018 7:44 AM, Simon Williams, 13K, TX]

Report: Still not enough judges working immigration court

[Tucson News Now](#) [9/20/2018 7:13 PM, Craig Reck, AZ] reports immigration courts across the United States still don't have enough judges, according to a new report from the

Government Accountability Office. The audit highlights hiring practices by the Executive Office of Immigration Review and the U.S. Immigration and Customs Enforcement Alternatives to Detention program. At the start of the 2018, EOIR managed to add some judges to the bench but it still wasn't as many as federal dollars are assigned to employ, according to the report. It states the office was provided enough money to pay 374 judges at the start of federal fiscal year 2016. At the end of that fiscal year, there were only 289 immigration judges nationwide. The GAO recommends increasing efficiency in the hiring process. It found from February 2014 to August 2016, the average time it took to hire a judge was 647 days. Attorney General Jeff Sessions in April 11, 2017 at the U.S. Customs and Border Protection station in Nogales, Arizona announced plans to boost border security that included hiring more immigration judges. The goal at that time was 50 more in 2018 and 75 additional judges in 2019. The GAO report found EOIR was up to 351 immigration judges as of September 2018, which is still below the authorized level of 384.

[CA] More immigration judges are coming to L.A. Will that alleviate the nation's second-largest backlog?

[Los Angeles Times](#) [9/20/2018 4:00 AM, Andrea Castillo, 3575K] reports that Los Angeles has the nation's second-largest immigration court backlog, with 29 judges handling 72,000 pending cases. That's including four judges who started within the last few months. An additional 10 are expected to be sworn in next week, according to Judge Ashley Tabaddor, who leads the National Assn. of Immigration Judges. But she says that won't fix the problem. "We're just transparently being used as an extension of the executive branch's law-enforcement policies, and as a political tool," she said.

U.S. Atty Gen. Jeff Sessions welcomed 44 new judges last week, addressing them at a kickoff for their training with the Executive Office for Immigration Review. He said the administration's goal is to double the number of judges active when President Trump took office. "As you take on this critically important role, I hope that you will be imaginative and inventive in order to manage a high-volume caseload," Sessions told them. "I do not apologize for expecting you to perform, at a high level, efficiently and effectively." There are 351 judges in about 60 courts around the country — up from 273 judges in 2016. These judges manage a backlog of nearly 750,000 cases, a figure that has grown from a low of less than 125,000 in 1999. Last year, Sessions introduced a "streamlined hiring plan" that cut the hiring time for immigration judge candidates by more than half. The EOIR has the funding for 484 judges by the end of the year, said spokeswoman Kathryn Mattingly.

Policy and Legislative News

Health and Human Services secretary confronts migrant child crisis

[Washington Post](#) [9/20/2018 12:05 PM, Amy Goldstein, 11614K] reports that midnight had passed, and Alex Azar was still in a coat and tie as he looked into a computer monitor inside the Department of Health and Human Services emergency-operations hub. It was a room built for managing responses to hurricanes and disease outbreaks, but the HHS secretary was, instead, scrambling to deal with a disaster instigated by his own boss — a "zero tolerance" immigration policy that led thousands of children to be separated from their parents. Azar was not consulted on the zero tolerance policy before it was announced in early May, according to people familiar with the events, even though his department is responsible for housing migrant children who are on their own.

In the months that have passed since the late June night the secretary was trying to help figure out who had been separated, HHS has managed to return more than 2,000 to their parents. That still leaves over 200 youngsters in government-contracted shelters, at risk of becoming orphans as federal workers, civil rights lawyers and aid activists help scour remote villages of Central America for mothers and fathers deported back home. The reunification efforts have overshadowed the other work of the department that Azar arrived to lead in January with a four-point agenda – including a promise to lower drug prices – and a role as frontman for the Trump administration's strategy of shifting health-care policies to the right through executive actions.

New Bill Would Hold HHS Feet to Fire for Unaccompanied Minors

[Roll Call](#) [9/21/2018 5:04 AM, Camila DeChalus, DC] reports a bipartisan group of senators have introduced a bill designed to ensure that the Department of Health and Human Services takes full responsibility for, and keeps better track of, unaccompanied children who come to the border seeking entry to the United States and then are placed with U.S. sponsors. The legislation follows a new report that revealed that the government could not determine the whereabouts of nearly 1,500 children that HHS had placed with sponsors this year. The bill, introduced Tuesday by Republican Sens. James Lankford of Oklahoma and Rob Portman of Ohio and Democratic Sens. Richard Blumenthal of Connecticut and Thomas R. Carper of Delaware, would require HHS to notify state governments before placing a child in a state with a sponsor and would increase the number of immigration court judges to help the Justice Department reduce the immigration case backlog. The bill was introduced the same day that the Permanent Subcommittee on Investigations, a panel of the Senate Homeland Security and Governmental Affairs Committee, released a report that found that from April 1 to June 30 this year, HHS tried to follow up with 11,254 unaccompanied minors who were placed with sponsors and could not determine the whereabouts of 1,488 of those children. They also concluded that 25 of the 11,254 children had run away from their sponsors. The new finding is similar to an April report that said that in 2017, the department's Office of Refugee Resettlement attempted to reach out to 7,635 children and their sponsors but was unable to determine the whereabouts of 1,475 children.

GOP senator writes bill to solve family separations

[Washington Times](#) [9/20/2018 6:31 PM, Stephen Dinan, 602K, DC] reports that a key senator announced legislation Thursday to authorize the government to hold illegal immigrant families in detention while they await their deportation cases, moving to clean up the legal mess that led to family separations earlier this year. Sen. Ron Johnson, chairman of the Homeland Security and Governmental Affairs Committee, also wants to see streamlined hiring of border agents and better reporting so Congress gets a clearer picture of deportation wait times, treatment of people in detention and backlogs in asylum cases. But the crux of the bill would erase court precedents that have created what agents call a catch-and-release policy, forcing them to quickly process and free illegal immigrant families from custody, leaving them to disappear into the shadows. The alternative, which the Trump administration tried earlier this year, is to charge the parents with a crime and hold them – but since the criminal justice system doesn't allow for family detention, that means separating the children. The administration faced a ferocious backlash to that practice – and a federal judge ruled it illegal.

Mr. Jonson said his bill solves that. "The Families Act addresses this specific problem by overriding the court decision that has produced the current lose-lose situation and by

providing the resources to expeditiously adjudicate asylum claims," he said. Mr. Johnson oversaw a hearing this week where immigration officials revealed major flaws in the system. Nearly a third of illegal immigrant families released on ankle monitoring cut off the bracelets in the first weeks and months after they're put on the streets, leaving them free to disappear into the shadows, said Matthew Albence, the top deportation official at U.S. Immigration and Customs Enforcement. And 80 percent of households applying to sponsor Unaccompanied Alien Children have someone who is already an illegal immigrant, and many of them also have criminal records.

34 More separated kids released; hundreds remain in custody

[CNN](#) [9/20/2018 8:07 PM, Staff, Tal Kopan] reports more than 100 children who may never be reunited with their parents remain in the custody of the government as officials work to rectify the crisis caused by the Trump administration's decision to separate undocumented immigrant families at the border. The court-mandated reunification of families separated at the border continues slowly, as the government reports having released 34 separated immigrant children since last week. The news comes in the latest status filing in the ongoing lawsuit over the government's separation of such families, a weekly report on the progress to reunite hundreds of children who couldn't be reunited by the court-ordered July deadline. All told, more than 2,000 children have been reunited with parents and more than 240 have been released to someone else deemed suitable of out of the more than 2,600 the government identified as being separated from a parent before it stopped the practice in June.

Federal agency can't determine whereabouts of nearly 1,500 illegal immigrant minors

[FOX News](#) [9/20/2018 2:49 PM, Travis Fedschun] reports that the federal agency tasked with placing illegal immigrant children with sponsors nationwide acknowledged Tuesday it lost track of hundreds of kids – for the second time in a year. The Department of Health and Human Services told Senate staffers the agency couldn't determine the whereabouts of 1,488 children, according to a tally based on follow-up calls made between April 1 and June 30. The number represents about 13 percent of the more than 11,200 illegal immigrant children who were placed with sponsors during that time period. Of the nearly 1,500 children who are unaccounted for, 25 children were reported to have run away from their sponsors. A spokeswoman from HHS said the children were not "lost," and in many cases the children's sponsors may have simply not answered when the agency called or responded to a message.

ICE arrested immigrants who came forward to take in undocumented children

[CNN](#) [9/20/2018 4:09 PM, Tal Kopan, 28810K] reports that on Tuesday, Immigration and Customs Enforcement senior official Matthew Albence testified to Congress that, after Health and Human Services and ICE signed a memorandum of agreement to background-check and fingerprint potential "sponsors" of immigrant children, ICE arrested 41 people who came forward. In response to an inquiry from CNN, an ICE official confirmed that 70% of those arrests were for straightforward immigration violations – meaning they were arrested because ICE discovered they were here illegally. "We've arrested 41 individuals thus far that we've identified pursuant to that," Albence testified Tuesday. "Close to 80% of the individuals that are either sponsors or household members of sponsors are here in the country illegally, and a large chunk of those are criminal aliens. So we are continuing to pursue those individuals." ICE made those arrests from early July through early September; of those, only 12 were criminal arrests, according to an ICE official speaking on condition

their name not be used. The remaining 29 were what are known as non-criminal or "administrative" arrests – as in immigration violations. Experts and advocates have feared the agreement to background-check and fingerprint through ICE would scare off potential sponsors. In September 2017, then – ICE acting Director Tom Homan said at a public event that his agency would arrest undocumented people who came forward to care for the children. "You cannot hide in the shadows," Homan said at a Washington border security event, adding that parents should be "shoulder-to-shoulder" with their children in court. "We're going to put the parents in proceedings, immigration proceedings, at a minimum ... Is that cruel? I don't think so."

Reported similarly:

[The Hill](#) [9/20/2018 4:01 PM, Avery Anapol]

[Daily Intelligencer](#) [9/20/2018 5:59 PM, Eric Levitz, 1913K, NY]

[ThinkProgress](#) [9/20/2018 6:56 PM, Rebekah Entralgo, 799K, DC]

[NY] Queens Assemblyman calls for end of indefinite detention of asylum seekers in New York jails

[New York Daily News](#) [9/20/2018 5:35 PM, Denis Slattery, NY] reports among the immigrant detainees being held in an upstate jail are a host of asylum seekers and others who have demonstrated a "credible fear" while being held for extended periods of time awaiting court proceedings or additional instructions, according to Queens Assemblyman David Weprin. The Democratic lawmaker visited and met with immigrant detainees at the Albany County Jail earlier this week and will rally outside the Immigration and Customs Enforcement Varick Street Detention Facility in Lower Manhattan Friday to call on the Trump administration to stop the inhumane practice. Weprin said many of the roughly 270 detainees at the jail in Colonie, just outside of the state capital, were transferred from a detention facility on the southern border, near San Diego, Calif. Others had been living and working in the U.S. before being arrested. Some had entered the country through a port of entry and had already seen a judge. They are merely awaiting a decision on their asylum petition. Weprin wants ICE and the Department of Justice to expedite hearings for asylum seekers and up the number of judges reviewing the cases. He even suggested adding an immigration court to the Albany area to make it easier for the attorneys representing the asylum seekers to make it to court. An ICE spokeswoman declined to comment on the assemblyman's plan to rally on Friday.

[NY] NYC Council votes to abolish ICE

[Queens Chronicle](#) [9/20/2018 12:49 PM, David Russell, 6K, NY] reports that the City Council voted in favor of abolishing the U.S. Immigration and Customs Enforcement in a Sept. 12 vote, though the body has no authority on the matter. Some Council members made statements about their vote. "Under the direction of President Trump ICE has performed like a rogue organization which has demonstrated an inability to properly fulfill its duties," Adrienne Adams (D-Jamaica) said. "ICE has not been focused on increasing public safety and many in my district have been victimized by them in this dysfunctional immigration system. We need to replace ICE and build something that actually works." "Abolishing ICE is nonsense, and this is why I voted NO on the resolution in the New York City Council last week," Bob Holden (D-Middle Village) said. "I believe that ICE is being used in a way in which it was never really intended to be used," Danny Dromm (D-Jackson Heights) said in a phone interview.

[VA] At City Council meeting, Bellamy talks about ongoing struggle to end ICE notifications in region

[Cavalier Daily](#) [9/20/2018 3:34 PM, Geremia Di Maro, VA] reports that Charlottesville City Councilor Wes Bellamy spoke at length Monday at a Council meeting on the regional struggle to end the policy of notifying Immigration and Customs Enforcement of the release of undocumented individuals from the Albemarle-Charlottesville Regional Jail in response to public comments regarding the policy. During the community matters portion of the Council meeting, City resident Angeline Conn called upon the Council to initiate the process for becoming a sanctuary city, or a city that does not comply with ICE by refusing to share the information of undocumented individuals with the federal agency.

Currently, there are no localities in Virginia that have formally adopted non-compliance laws with regards to informing ICE officials of the actions of undocumented individuals. Under Virginia law, as it is considered a Dillon Rule state, such an action would likely be illegal as it would exceed those specific powers which are granted to localities by the Virginia General Assembly. Bellamy said the current policy of the regional jail requires that ICE officials be notified as soon as an undocumented individual is admitted into the facility. "The federal policy states that they have to be notified at least once," Bellamy said. "The follow-up policy that the jail board has is that ICE will also be notified upon the person being released or once it is known what their release date is going to be."

Legal News

For rural, unauthorized immigrants and migrant farmworkers, finding a lawyer can mean a long road

[St. Louis Public Radio](#) [9/20/2018 5:11 PM, Chad Davis, MO] reports the American Immigration Lawyers Association represents immigration lawyers across the United States. About a hundred AILA lawyers have Missouri addresses, and the majority of those lawyers are located in St. Louis and Kansas City, hours away from towns and villages that are home to immigrants and migrants who work the orchards and farms across southern Missouri and southern Illinois. "If you are an immigrant in those more southeastern areas, southeastern Missouri, southern Illinois, southwestern Missouri area, and some of those places have significant Latino populations, you're traveling quite a ways to seek help," said Ken Schmitt, an immigration lawyer in St. Louis who is an AILA member and founder of U.S. Legal Solutions. The drive to urban areas can prove to be a significant risk for unauthorized immigrants and even migrant farmworkers working legally in the United States. "You might not be in removal proceedings, you might have a very legitimate basis for somebody to file a petition for you," Schmitt said. "Or you're going to St. Louis to work on your case: You're at risk the whole way on the road to be pulled over for whatever reason and detained and possibly turned over to ICE for removal."

Immigration lawyers have seen an increase in a particular kind of scam affecting people seeking legal services: Notario fraud. Notario fraud occurs when a notary claims to have the same standing and expertise as a lawyer. "In the United States a notary public is just authorized to notarize your signature," said Jennifer Ibañez Whitlock, a St. Louis-based immigration lawyer and partner of Whitlock and Gray. "In Latin America, a notario publico has the same rights and responsibilities as an attorney does. And so I see a lot of times that's sort of the scam, is that somebody gets their notary license, advertises themselves as such in English and some Spanish-speaking immigrants will believe that that person

somehow has some sort of legal training when they really don't." Entanglement with a notario intent on fraud can mean legal consequences for a person seeking legal status, consequences that are hard to reverse. St. Louis Public Radio asked the Missouri Attorney General's Office for data on how many notario fraud cases exist in Missouri. The office said "we have searched our records and have no records responsive to your request."

9th Circ. To Rehear Case Over Counsel For Immigrant Minors

[Law 360](#) [9/20/2018 6:50 PM, Nicole Narea] reports the full Ninth Circuit will reconsider a panel ruling that immigrant children are not entitled to government-provided counsel in removal proceedings, according to orders issued Wednesday. In January, a three-judge panel had found that neither the Constitution's due process clause nor the Immigration and Nationality Act specifies immigrant children's right to public court-appointed counsel.

[DC] D.C.'s Sanctuary City Status Has A Major Loophole: Superior Court

[DCist](#) [9/20/2018 4:40 PM, Martin Austermuhle, DC] reports when D.C. resident Benjamín Ordoñez was arrested for allegedly stealing \$200 and five gold rings out of a bag in a hotel lobby in late August, he could have expected to be charged and quickly released pending a trial — like most people accused of non-violent crimes. But that never happened. Instead, Ordoñez was taken into custody at D.C. Superior Court by Immigration and Customs Enforcement and sent to a holding facility in Norfolk, Virginia, where he is awaiting deportation. That this happened in Washington has angered immigration advocates, who say D.C. — which officials have declared a 'sanctuary city' — has fallen short on resisting ICE. But it also highlights a distinct gap in D.C.'s sanctuary's status that is beyond the city's control: Superior Court itself. Although it serves as the District's local courthouse, Superior Court is funded by the federal government and staffed by the federal U.S. Marshals Service — the only such arrangement in the country. While under current policy the D.C. police officers who arrested Ordoñez would not have inquired about his immigration status, the federal Marshals at Superior Court can — and do. "The USMS detains individuals in its physical custody who are wanted on ICE detainers for an ICE agent to respond and take custody of the individual," said Robert Brandt, the chief deputy of the U.S. Marshals Service at Superior Court, in an email. Brandt said he did not have the specific number of people detained at Superior Court and turned over to ICE. While in the past, the Marshals and ICE may have not prioritized detaining non-violent offenders like Ordoñez, an ICE official speaking to WAMU on background said the agency "no longer exempts classes or categories of removable aliens from potential enforcement."

Enforcement News

[NY] Feds Quietly Deport Flatbush Grandmother, Activists Say

[Ditmas Park Patch](#) [9/20/2018 10:07 AM, Kathleen Culliton, NY] reports that a Brooklyn grandmother who has lived in New York for more than 30 years was detained and quietly deported to Mexico, according to officials and the activists who tried to free her. Gloria Hernandez, a Flatbush resident who has lived with her family in Brooklyn for 34 years, was sent out of the United States Tuesday night after she spent months in an Immigration and Customs Enforcement detention center, activists said. The Flatbush woman is the wife of a 58-year-old husband with "deteriorating health problems," a mother of six and a grandmother of eight children whom she cares for so her family can work, according to the grassroots organization Brooklyn Defense Committee. Hernandez, originally from Mexico,

was arrested on July 16 after immigration officials discovered she'd returned to the United States after an initial deportation in 2001, an ICE spokeswoman said. Activists and Hernandez' family rallied outside the ICE building on Varick Street Wednesday to protest treatment the Flatbush grandmother faced in the hands of federal officials.

[NJ] NJ green card holder, detained over 11-year-old conviction, avoids deportation

[North Jersey Record](#) [9/20/2018 8:44 PM, Steph Solis, 71K, NJ] reports a New Jersey green card holder who was detained in June over an 11-year-old conviction will be released Thursday after an immigration judge stopped efforts to deport him. Cloyd Edralin, 47, of Highland Park, will be released Thursday night from Elizabeth Contract Detention Facility and go home to his wife, Brandi, and four children, family members said. Immigration and Customs Enforcement agents arrested Edralin early on June 4 as he left his house for work, citing an 11-year-old conviction for possessing a pistol that fires plastic pellets. The detainment was one of several nationwide over the past year that have targeted green card holders with long-resolved criminal cases. Edralin spent four months at the detention center fighting the deportation case in immigration court. In July, he was denied bond by an immigration judge. On Thursday morning, an immigration judge agreed to cancel his deportation.

Reported similarly: [News 12](#) [9/20/2018 9:41 PM, Staff, 34K, NJ]

[GA] Fitzgerald man handed federal court sentence, two found illegally in southwest Georgia

[Albany Herald](#) [9/20/2018 2:23 PM, Staff, 6K, GA] reports that Charles Peeler, United States Attorney for the Middle District of Georgia, announced earlier this week that two individuals were indicted last month for illegal reentry after being found in southwest Georgia. Six individuals were prosecuted in August in the Middle District of Georgia for illegal reentry into the country after having been deported and removed. Two of them, both found in southwest Georgia, were indicted by a grand jury on Aug. 15 for illegal reentry. Feisar Najera-Flores, 40, a citizen of Honduras, is charged with illegal reentry. The case was investigated by the Immigration and Customs Enforcement, Enforcement and Removal Operations and is being prosecuted by Assistant U.S. Attorney Sonja Profit. Otilo Perez-Escobar, 34, a citizen of Mexico, is charged with illegal reentry. The Perez-Escobar case was investigated by the Immigration and Customs Enforcement, Enforcement and Removal Operations and is being prosecuted by Assistant U.S. Attorney Jim Crane.

[GA] Remove all ICE prisoners from our jail: Atlanta mayor

[USA Today](#) [9/20/2018 8:38 PM, Mayor Keisha Lance Bottoms, 8110K] reports that on Sept. 6, I signed an executive order permanently ending the acceptance of federal immigration detainees at the Atlanta Detention Center. At the same time, I requested the removal of all remaining U.S. Immigration and Customs Enforcement prisoners from our jail. With this decision, Atlanta is sending the message that we will not stand by and be complicit in the depraved federal practice of separating children from families seeking asylum at the border. Some may call this a symbolic gesture that sends merely a ripple of hope into a tidal wave of social injustice. Others, preying upon people's fears, will say we are endangering our citizens. On the contrary, I believe this decision enhances public safety. When immigrant communities do not have to fear the police, they are more likely to assist them when law enforcement issues arise in their neighborhoods. I broke with ICE on this matter because it is the right thing to do for Atlanta, and it is the right thing to do for America.

[AR] ICE detains 12 people in Batesville in drug operation

[KAIT 8](#) [9/20/2018 5:47 PM, Staff, 17K, AR] reports that agents with the Drug Enforcement Administration and U.S. Immigration and Customs Enforcement, along with other federal and state departments, arrested 12 suspected illegal immigrants Tuesday in a mass raid. The roundup rattled the local Hispanic community and even forced some businesses to close their doors. "They started getting upset, they wanted to leave. They have their families. They are concerned because even if you have a worker's permit, they won't respect it," said Aljandra Jasso, who owns a Batesville restaurant. There are rumors that ICE was still in town but, according to the Independence County Sheriff's Office, they've already left. Jasso told a reporter with KATV he hopes the panic will ease and his business is able to re-open soon. The arrests made are still under investigation.

[MI] Michigan Dept of Civil Rights: Stop deportation of deaf immigrant

[Detroit Free Press](#) [9/20/2018 6:05 PM, Niraj Warikoo, 348K, MI] reports that the director of the Michigan Department of Civil Rights is calling upon federal authorities not to deport Francis Anwana, a deaf and disabled immigrant in Detroit from Nigeria who's lived in the U.S. for more than 30 years, saying that his rights as a disabled man must be protected. Meanwhile, immigrant advocates are planning to rally for Anwana Thursday afternoon at 4:30 outside the Detroit ICE office. Anwana was to be deported on Sept. 11, but he was later told by ICE that he could have more time and leave voluntarily to Nigeria, where he was born. ICE spokesman Khaalid Walls said earlier: "Mr. Anwana, a citizen of Nigeria illegally residing in the U.S., was admitted to the United States in 1987 as an F-1 nonimmigrant student, but violated the terms of his admission by remaining in the U.S. when he was no longer enrolled in school, which made him subject to removal."

Reported similarly:

[Local 4 News](#) [9/20/2018 7:15 PM, Shawn Ley and Dane Sager Kelly, 205K, MI]

[IL] Retired Illinois priest faces deportation over illegal vote

[Washington Post](#) [9/20/2018 1:47 PM, Associated Press] reports that a retired Episcopal priest in southwestern Illinois is facing deportation to his native England for what he says was mistakenly voting 12 years ago. Sixty-nine-year-old Rev. David Boase of Godfrey says his illegal voting was discovered after he applied U.S. citizenship. His attorney, David Cox, says Boase will ask an immigration judge on Sept. 28 to allow his voluntary departure. A U.S. Citizenship and Immigration Services spokeswoman didn't immediately reply to a request for comment.

The [Kansas City Star](#) [9/20/2018 11:12 AM, Rick Montgomery, 358K, MO] reports that because of his clean record, "he never was in ICE custody" nor was Boase rooted out by the enforcement agency, said Scott Neudauer, a spokesman for Immigration and Customs Enforcement. "USCIS issued the charging documents," he said.

[TX] Smugglers schemed to bypass Texas border agents with migrant families distraction

[Washington Examiner](#) [9/20/2018 11:24 AM, Anna Giaritelli, 535K, DC] reports that Human smugglers flooded a portion of the Texas-Mexico border with Central American families and unaccompanied children earlier this week, which officials described as an attempt to overwhelm U.S. Border Patrol and get adults who wanted to avoid getting arrested into the country while agents were busy elsewhere. In the early morning hours Tuesday, agents

based at the McAllen Station in the Rio Grande Valley Sector of southern Texas came across a group of 170 people that was comprised of all families or children traveling without parents. U.S. Customs and Border Protection, the patrol's parent agency, said the group "sought the first Border Patrol agents they could find to turn themselves in." The massive apprehension forced the sector to pull agents from other parts of the valley to help process and detain everyone in the group.

"As agents prepared the group for transport, the criminal organizations took advantage of the limited resources and simultaneously attempted to smuggle multiple other groups whom actively attempted to evade apprehension," CBP said in a statement. The Flores settlement agreement and Trafficking Victims Protection Reauthorization Act mandate both families and unaccompanied minors from countries under than Mexico and Canada cannot be turned away or arrested. The majority of families and children apprehended are released from federal custody and told to show up for immigration hearings on their asylum requests but do not show and disappear into the country, a U.S. Immigration and Customs Enforcement official testified before the Senate this week. CBP reported a similar incident Wednesday in which two caravans of families and kids, comprised of 193 people, were taken into custody.

[AZ] Arizona Border Patrol Arrests 193 Illegal Immigrants In Two Hours

[The Daily Caller](#) [9/20/2018 10:44 AM, Neetu Chandak, 984K, DC] reports that Arizona Border Patrol agents arrested 193 illegal immigrants in two separate instances within two hours on Sunday. Most of the people were traveling as families though 11 were determined to be unaccompanied children, U.S. Customs and Border Protection reported Wednesday. The first encounter had 102 illegal immigrants surrender to Border Patrol officials and 91 illegal immigrants were found an hour later. Children as little as 1 year old were part of the groups. The adults and children originated from Guatemala, El Salvador and Honduras, according to CBP. "Transnational criminal organizations exploit the vulnerability of foreign nationals with false promises of legal status and encourage dangerous border crossings, placing lives at risk," CBP said in its news release. The illegal immigrants were processed for immigration violations. The arrests of over 190 illegal immigrants in Arizona were followed by another group of 170 unaccompanied illegal immigrant children and families who turned themselves in to Texas Border Patrol agents on Tuesday.

Reported similarly: [Epoch Times](#) [9/20/2018 12:42 PM, Zachary Stieber, 512K, NY]

[CA] 'So Happy To Be Back Home': Deported Army Veteran Returns To California

[CBS Los Angeles](#) [9/20/2018 9:15 AM, Staff, 246K, CA] reports that an Army veteran is back home in California after being deported to Mexico in 2010. "I'm so happy to be back home," Army specialist Fabian Robelledo told reporters, after returning home to Azusa Wednesday. Robelledo served at Fort Bragg and as deployed to Kosovo in 1999 to work as a peacekeeper, retrieving bodies of Kosovan villagers who had been killed by Serbian forces. After being discharged, he returned to California and had a son. In 2007, he was convicted of depositing a bad check from an employer and later deported. But in 2015, a change in state law made it possible for Robelledo's felony fraud charge to be reduced to a misdemeanor. With the help of UCI Law's Immigrant Rights Clinic, Robelledo's case was reopened last month and an immigration judge restored his green card, allowing him to come home. Robelledo says he wants to now work on behalf of other veterans who have been deported.

[CA] Fresno Bee: California Pays Millions to Keep Illegal Alien Sex Offenders from Deportation

[Breitbart](#) [9/20/2018 8:55 AM, Joel B. Pollak, 2213K] reports that The Fresno Bee's Mackenzie Mays has published an extraordinary investigation that reveals the State of California is keeping dozens of illegal alien sex offenders in a mental health institution rather than deporting them — often against their wishes. Mays writes:

The undocumented men at Coalinga State Hospital are in a unique predicament that seems to be nobody's jurisdiction. They aren't prisoners, they are "civil detainees." They entered the country illegally, committed crimes and served their prison sentences. But a state-mandated mental evaluation of sex offenders – a policy that went into effect in 1996 – put them in Coalinga instead of back into society. The Department of State Hospitals says that it does not track patients' immigration status, and that only a judge can decide if patients are ready to be released; ICE says the decision is up to the state. Effectively, they are incarcerated for life in the U.S.: "There is no way out other than death," one attorney notes.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Monday, Sept. 24, 2018

Executive Office for Immigration Review

Immigration judges' union calls for immigration court independent from Justice Department.....	2
Immigration Judges 'Union Accuses Jeff Sessions Of Pushing For Speed Over Fairness'	3
Head of U.S. immigration judges' union denounces Trump quota plan	4
Jeff Sessions' Rules for Immigration Courts 'Unprecedented,' Union Head Says	5
Attorney general's latest decree revs up Trump's 'deportation machine'	5
While Donald Trump berates Attorney General Jeff Sessions, who suffers? Immigrants.....	6
Discussion on the Challenges Facing the Federal Immigration Court System.	6

Policy and Legislative News

Trump administration diverts nearly a half-billion dollars to migrant children in custody	7
A record number of migrant children are being detained at the border now	7

Federal judge says 'meaningful closure' could be soon in family reunifications ...	8
Parents face tougher rules to get immigrant children back.....	8
Another Case of Vanishing Latino Children	8
ICE Arrests Dozens Trying to Sponsor Migrant Children in Government Care ..	9
Why Did Mike Pompeo Slash the Number of the Refugees Allowed to the United States?	9
Hunger, not violence, fuels Guatemalan migration surge, U.S. says.....	10
[MA] Judge denies bid to block courthouse immigration arrests	10
[NJ] NJ backs lawsuit challenging Trump administration's effort to end TPS	10
[WI] Madison officials say ICE immigrant arrests violated policy	11
[OR] Illegal Immigrants to Get \$1M for Legal Defense From Oregon Taxpayers	11

Legal News

'Chilling' Immigration Court Hearings Led to Grievance Against DOJ	12
--	----

DOJ review finds immigrant legal education program ineffective; provider calls study flawed	12	[VA] In a suburban classroom, learning to parent the sons she left behind	15
[PA] For a family in church sanctuary, a legal way out?	12	[MO] Illegal immigrant has spent over a year seeking sanctuary in a church	15
[OH] Accused killer Claudia Hoerig files petition to throw out case	13	[MI] ICE halts deportation of deaf Detroit immigrant.....	16
[WA] Asylum Seekers Ask Wash. Court For Bond Hearings.....	13	[IL] An Illinois priest living legally in the U.S. for 14 years is being deported — over a single vote he shouldn't have cast.....	16
Enforcement News		[NE] Grand jury indicts 8 people in connection with August immigration raids	17
Tearful reunion for mother and 11-year-old son who spent months in ICE custody	13	[CO] Man Charged With 141 Counts Of Arson In Spring Fire Will Stand Trial ...	17
A Mauritanian man escaped his country's ethnic cleansing. ICE deported him anyway.....	13	[AZ] ICE raid results in 7 arrests	18
[MA] Filipino immigrant released from ICE facility after 3.5 months in detention	14	[AZ] Coming of Age in American Detention	18
[CT] New Haven Students Walk Out Of School To Protest Deportation Of Local Resident.....	14	[CA] Community helps in recapturing escaped inmate	18
[NY] ICE Deports Brooklyn Grandmother After Three Decades In U.S.....	15	[CA] Judge Agrees To Release ICE Detainee From Colorado Jail, Supporters Say.....	18

Executive Office for Immigration Review

Immigration judges' union calls for immigration court independent from Justice Department

[Washington Post](#) [9/21/2018 6:46 PM, Maria Sacchetti, 11614K] reports the president of the National Association of Immigration Judges on Friday called on Congress to emancipate the judges from the Justice Department, saying the immigration courts are entering a "new and dark era" under the nation's top prosecutor. The move comes as Attorney General Jeff Sessions is rapidly hiring immigration judges and pressuring them to decide cases faster, imposing production quotas for the first time. Starting Oct. 1, judges must complete 700 cases a year, she said. "The only durable solution is to get the court away from the Justice Department," Ashley Tabaddor, a Los Angeles immigration judge and the association's president, said in a speech at the National Press Club in Washington. "Let it be a real court. Let it be real judges, so that we can do what we're supposed to do." Unlike the judicial branch, the 61 federal immigration courts fall under the executive branch and report to the attorney general. The immigration judges' association has urged Congress for years to make immigration an independent court similar to the U.S. Tax Court.

In August, the union filed a grievance after a Philadelphia immigration judge said his supervisor removed him from dozens of deportation cases after he questioned whether a defendant was given fair notice of a hearing. Sessions also has limited judges' power to postpone or terminate cases, which could give immigrants extra time to find a lawyer, gather evidence or find another way to apply for legal residency. In June, the attorney general also narrowed judges' authority to grant asylum by vacating a decision by the Board of Immigration Appeals. He said victims of "private" crimes such as domestic abuse and gang violence in their countries of origin generally will not qualify for asylum. The Trump administration said Friday that it "has been clear that the proper home for the immigration court system is with the [Justice] Department." A Justice Department spokesman, who spoke on the condition of anonymity, said the administration is seeking to slash the 740,000-case backlog in half by 2020 "with collaboration – not obstruction and intentional undermining – from the immigration judge union."

The [Boston Globe](#) [9/21/2018 7:07 PM, Staff, 854K, MA] reports that unlike other federal judges, immigration judges are now currently entirely under the Justice Department, which has the sole power to hire and fire them. Congress this year approved an additional 150 new immigration judges and Sessions recently spoke to the latest incoming class of 44, telling them, "good lawyers, using all their talents and skill, work every day – like water seeping through an earthen dam – to get around the plain words of the to advance their clients' interests. Theirs is not the duty to uphold the integrity of the act. That is our most serious duty." He also told them that the American people had spoken "in our elections." In other words, the attorney general of the United States just told a group of judges in training that they have their marching orders, and fairness be damned.

Immigration Judges 'Union Accuses Jeff Sessions Of Pushing For Speed Over Fairness

[Huffington Post](#) [9/21/2018 7:15 PM, Elise Foley] reports that under Attorney General Jeff Sessions, immigration judges face growing pressure to complete cases faster, potentially at the expense of giving immigrants a fair day in court, the president of the union of immigration judges warned on Friday. Judges are under undue pressure to work through cases - which would only worsen with a soon-to-be-implemented quota system, said the National Association of Immigration Judges' president, Ashley Tabaddor, at the National Press Club in Washington on Friday. Some judges might also feel pressure to decide cases in a certain way too, because of the views and statements from their boss, she suggested. She separately said the attorney general is prone to "disparaging remarks about private attorneys and individuals appearing before the court." The problem, she said, boils down to a fundamental flaw in the immigration court system: that it's under the Department of Justice, rather than an independent agency. Sessions has made no secret of his views on unauthorized immigration, either as a senator who railed against amnesty for the undocumented U.S. residents or as the head of the Department of Justice, which administers the nation's immigration courts through the Executive Office for Immigration Review. That gives him extraordinary power over those courts not just in hiring judges but also in being able to unilaterally reverse decisions and setting precedents something he has done six times this year.

The Department of Justice issued a statement accusing the National Association of Immigration Judges of trying to interfere with the DOJ's efforts to improve the court system. The spokesperson, who declined to be named, accused the union of contributing to a "massive backlog" and said the "proper home" for the courts is within the Department of

Justice, as set by Congress. "Many Americans would be shocked to learn that a union – a public sector union that does not represent the views of all immigration judges – consistently attempts to block the Justice Department's common-sense reforms to fix decades of immigration court mismanagement," the spokesperson said in a statement. "It is possible to achieve the Department's goal of reducing the backlog by 50% in 2020 with collaboration – not obstruction and intentional undermining – from the immigration judge union."

Head of U.S. immigration judges' union denounces Trump quota plan

[Reuters](#) [9/21/2018 4:09 PM, Yeganeh Torbati, 5544K] reports the Trump administration's plan to impose a quota system on U.S. immigration judges represents a "new and dark era," the head of the judges' union said on Friday. The Justice Department notified immigration judges earlier this year that it would begin evaluating their job performance on the basis of how many cases they complete, considering 700 completions annually "satisfactory performance." The policy is due to take effect Oct. 1. "This is an unprecedented act which compromises the integrity of the court" and pressures judges to quickly complete cases, possibly pitting their job security against the interests of immigrants, said Ashley Tabaddor, president of the National Association of Immigration Judges, in a speech at the National Press Club in Washington, D.C. "In 10 days our nation's immigration courts and judges will enter a new and dark era," she said. Asked about Tabaddor's statements, a Department of Justice spokesman said the union "consistently attempts to block the Justice Department's common-sense reforms to fix decades of immigration court mismanagement."

Attorney General Jeff Sessions, a Republican former U.S. senator appointed by President Donald Trump, has ordered changes in how the immigration courts operate, saying he wants to speed up cases and reduce the courts' backlog of about 700,000 pending cases. Last month, seeking to speed up deportations, Sessions told immigration judges they should postpone cases in removal proceedings only "for good cause shown," which he said would limit judges' discretion and prohibit them from granting continuances "for any reason or no reason at all." Sessions has also rewritten decisions of the Board of Immigration Appeals, including one on Wednesday in which he limited judges' ability to terminate deportation cases, saying they could only terminate or dismiss cases in "Specific and circumscribed circumstances."

[ABC News](#) [9/21/2018 5:36 PM, Colleen Long] reports the nation's immigration court judges are anxious and stressed by a quota system implemented by Attorney General Jeff Sessions that pushes them to close 700 cases per year as a way to get rid of an immense backlog, the head of the judges' union said Friday. It means judges would have an average of about 2 ½ hours to complete cases — an impossible ask for complicated asylum matters that can include hundreds of pages of documents and hours of testimony, Judge Ashley Tabaddor said. "This is an unprecedented act, which compromises the integrity of the court and undermines the decisional independence of immigration judges," she said in a speech at the National Press Club, in her capacity as head of the union. Tabaddor said the backlog of some 750,000 cases was created in part by government bureaucracy and a neglected immigration court system. "Now, the same backlog is being used as a political tool to advance the current law enforcement policies," she said. Curbing immigration is a signature issue for the Trump administration and the jobs of the nation's more than 300 immigration judges are in a continued spotlight. They decide whether someone has a legal basis to remain in the country while the government tries to deport them, including those seeking asylum. Tabaddor presides in Los Angeles, where she oversees some 2,000 cases,

including many involving juveniles. The judges are employees of the Justice Department's Executive Office for Immigration Review, which is overseen by the attorney general — unlike the criminal and civil justice systems where judges operate independently. Immigration court judges have repeatedly asked for independence, and Tabaddor brought it up again Friday, calling the current structure a serious design flaw. A Justice Department spokesman said the union has repeatedly tried to block common-sense reforms that would make the judges' jobs better, and the proper home for the courts is where they are right now, under DOJ.

[Government Executive](#) [9/21/2018 5:16 PM, Charles S. Clark, 55K] reports that Tabaddor predicted "a dark new era" when the Trump administration's new policy kicks in on Oct. 1. She was speaking on her own and not on behalf of the Justice Department. The "performance measure" policy of requiring all the current roster of 400 judges to process 700 cases a year and complete 95 percent within the initial hearing relies on "artificial numbers" that are "not only insulting but a direct contradiction of what it means to be judge," Tabaddor said. As her group has said for months, judges who handle complicated life-or-death cases affecting documented immigrants worry that a "rushed process can impede fairness of hearings." The Justice Department did not respond to a Government Executive request for comment by publication time.

Jeff Sessions' Rules for Immigration Courts 'Unprecedented,' Union Head Says
[Legal Intelligence](#) [9/21/2018 4:45 PM, Ellis Kim] reports the independence of the immigration courts system is under unprecedented political pressure after U.S. Attorney General Jeff Sessions moved to implement a tougher regime of quotas and deadlines for the backlogged courts, the head of a judges' union said Friday. Judge Ashley Tabaddor, the president of the National Association of Immigration Judges, sounded the alarm on Sessions' rules in a press conference Friday. Tabaddor is an immigration judge in Los Angeles, but spoke in her role as the head of the union. "This is an unprecedented act which compromises the integrity of the court and undermines the decisional independence of our immigration judges, all in the name of addressing the 750,000-backlog of cases which continue to grow with every action of this administration," she said. The Justice Department did not immediately respond to a request for comment. Beginning Oct. 1, immigration judges will be required to complete 700 cases a year, under a plan that was unveiled. The Justice Department oversees the immigration courts system, which falls under Article 1. The NAIJ president's comments are the latest sign of growing tensions between the group and Main Justice. With the Executive Office for Immigration Review, the DOJ office that oversees the immigration courts, after managers reassigned.

Attorney general's latest decree revs up Trump's 'deportation machine'

[Las Vegas Sun](#) [9/23/2018 2:00 AM, Staff, 83K, NV] reports that quietly, the Trump administration recently launched its latest attack on the nation's independent judiciary system. It came via an order by the Justice Department to revive immigration cases that were shelved indefinitely under a practice known as administrative closure. Attorney General Jeff Sessions ruled that federal immigration judges did not have the authority to close cases through that method, the latest in a number of steps by the administration to curtail judges' ability to stand in the way of its disgraceful deportation practices. By eliminating administrative closure, the administration has taken away a tool that for years has helped courts deal with a crushing backlog of cases and has given judge's discretion to resolve cases in a fair, due process-based manner. To her credit, Sen. Catherine Cortez

Masto, D-Nev., has been watching the situation closely, and last week joined several Senate Democrats in raising a red flag about Sessions' order on administrative closure. The group sent a letter to Sessions and Department of Homeland Security Secretary Kirstjen Nielsen requesting details about how the order would be carried out and saying the order would "undeniably overwhelm" the system."

While Donald Trump berates Attorney General Jeff Sessions, who suffers? Immigrants

[Dallas Morning News](#) [9/23/2018 3:00 AM, Staff, 496K, TX] reports that President Donald Trump has made it clear, once again, that he is dissatisfied with his handpicked attorney general, Jeff Sessions. "I don't have an attorney general. It's very sad," Trump told Hill.TV in an Oval Office interview Tuesday. But unlike previous criticisms, which mostly stemmed from Sessions' decision to recuse himself from the Justice Department's investigation into Russian interference in the 2016 election, Trump said: "I'm not happy at the border. I'm not happy with numerous things, not just this [Sessions' recusal]." We have no way of knowing how long Sessions will remain attorney general of the United States. But we do know he has been very active "at the border," trying to streamline the adjudication of removal procedures and asylum requests in our immigration courts and expedite the backlog of nearly 700,000 cases — often at the expense of the independence of immigration judges and the due process of those seeking asylum.

On the same day Trump delivered his scathing remarks, Sessions used his authority as head of the Justice Department to further erode the powers and independence of our nation's roughly 350 immigration judges, who, unlike state and federal criminal courts, are technically Justice employees and part of the executive branch, not the judicial branch. That distinction allowed Sessions to deliver a decision Tuesday reversing immigration judges' authority to dismiss or terminate cases or removal proceedings except in extremely narrow circumstances and instead "refer these cases to me." This move follows the attorney general's May decision to end immigration judges' use of "administrative closure," commonly used before this administration's zero-tolerance policy to postpone a court date or removal proceedings to more thoroughly address a case. The Justice Department says these and other actions, including a streamlined hiring plan for immigration judges and annual quotas for the number of cases a judge must hear, are necessary to reduce the tremendous backlog of cases. But others see the recent Justice rulings as an attempt to turn immigration judges into little more than administrative enforcers of zero tolerance.

Discussion on the Challenges Facing the Federal Immigration Court System

[C-SPAN](#) [9/21/2018 9:56 AM, Staff] reports the president of the National Association of Immigration Judges, Ashley Tabaddor, participated in a discussion at the National Press Club focusing on the challenges facing federal immigration courts and judges. Tabaddor addressed the organizational structure of the nation's immigration court system and criticized the Justice Department's implementation of quotas on the number of cases federal immigration judges would be expected to clear each year. [Editorial note: consult source link for video]

Policy and Legislative News

Trump administration diverts nearly a half-billion dollars to migrant children in custody

[Washington Post](#) [9/21/2018 5:21 PM, Amy Goldstein and Robert Moore, 11614K] reports that federal health officials are reshuffling nearly a half-billion dollars this year to cover the expense of sheltering a record number of migrant children in the department's custody, according to government documents and officials. In a recent letter to several members of Congress, Health and Human Services Secretary Alex Azar said the department is moving "up to \$266 million" to house children from other countries who are on their own, diverting money originally intended for biomedical research, HIV/AIDS services and other health-care purposes. HHS also has given its "unaccompanied alien children" program all \$180 million available from a discretionary pot of public health money – a fund the Obama administration used to help implement the Affordable Care Act, a law that President Trump has sought to undermine. These figures, for the fiscal year that ends this month, provide a first glimpse into how much the Trump administration has been spending on migrant children in government custody, who arrived unaccompanied by an adult or were separated from their parents at the border.

In April, HHS and the Department of Homeland Security agreed to share more details about children taken into custody after arriving at the border. The agreement instituted a new requirement that any potential sponsor must provide fingerprints of themselves and any adult in the household to Immigration and Customs Enforcement, an agency within DHS. ICE officials have said that 80 percent of sponsor households have at least one undocumented adult in the household. Groups working with migrants cautioned that potential sponsors would be unlikely to provide ICE with information that could lead to deportation, slowing the process of finding homes for children in the shelters.

[The Hill](#) [9/23/2018 8:42 PM, Nathaniel Weixel, 3846K] reports that "separating children from their parents at the border unnecessarily, coupled with proposed changes in policy to detain families indefinitely, all have long-term costs and consequences," said Emily Holubowich, executive director of the Coalition for Health Funding. Rep. Rosa DeLauro (D-Conn.), ranking member of the House Appropriations subcommittee that deals with HHS, also slammed the administration for the funding shift, saying the White House is simply trying to cover up its own "failed policies." "The Trump administration should not rob funds from vital health and human services initiatives to make up for their failed immigration policies," DeLauro said in a statement.

A record number of migrant children are being detained at the border now

[Salon](#) [9/21/2018 3:44 PM, Rachel Leah, 811K] reports that while hundreds of children have been released under a court order, according to the New York Times that population has ballooned fivefold since last summer, from 2,400 in May 2017 to 12,800 this month. The federal shelter system is currently filled to near capacity – not because the number of minors crossing the border has surged, but because fewer children are being released. "The big difference, said those familiar with the shelter system, is that red tape and fear brought on by stricter immigration enforcement have discouraged relatives and family friends from coming forward to sponsor children," the New York Times reported. "Matthew Albence, the executive associate director for enforcement and removal operations at ICE, validated these fears during a hearing about family detention before the Senate Homeland

Security and Governmental Affairs Committee on Tuesday, stating that under the policy ICE has apprehended 41 prospective sponsors so far," Yahoo reported.

Federal judge says 'meaningful closure' could be soon in family reunifications

[CNN](#) [9/21/2018 11:10 PM, Catherine E. Shoichet and Tal Kopan] reports that the latest report from government and American Civil Liberties Union attorneys about reunifications of families separated at the southern border is "very promising," U.S. District Judge Dana Sabraw said Friday. Sabraw praised the government's recent efforts to conduct three-way calls to help the ACLU-led steering committee reach deported parents. "We're on track toward some meaningful closure in the not-too-distant future," Sabraw said. Since things are proceeding smoothly, Sabraw said, both parties will submit status reports next Thursday but there will not be a hearing scheduled unless an issue arises. All told, more than 2,000 children have been reunited with parents and more than 240 have been released to someone else deemed suitable of out of the more than 2,600 the government identified as being separated from a parent before it stopped separating undocumented immigrant families at the southern border in June.

Parents face tougher rules to get immigrant children back

[Washington Post](#) [9/22/2018 4:31 PM, Gisela Salomon and Claudia Torrens] reports that the drama of parents being separated from their children at the border dominated the headlines this year, but thousands of immigrant families are experiencing a similar frustration: the increasing hurdles they must surmount to take custody of sons, daughters and relatives who crossed the border on their own. The Trump administration has imposed more stringent rules and vetting for family members to get these children back as part of an across-the-board hardening of immigration policy. As a result, family members are struggling to comply with the new requirement, keeping children in detention longer and helping the number of migrant kids in government custody soar to the highest levels ever. Federal officials insist the policies are about ensuring the safety of children. More than 12,000 children are now in government shelters, compared with 2,400 in May 2017. The average length that children spend in detention has increased from 40 days in fiscal year 2016 to 59 in fiscal year 2018, according to federal data.

The requirements include the submission of fingerprints by all adults in the household where a migrant child will live. These sponsors — the term the U.S. uses for adults who take custody of immigrant children — are also subject to more background checks, proofs of income and home visits, lawyers say. And this information will now be shared with Immigration and Customs Enforcement — something that did not occur in the past. ICE said this week that the agency has arrested 41 sponsors since the agencies started sharing information in June.

Another Case of Vanishing Latino Children

[New York Times](#) [9/21/2018 12:25 PM, David Leonhardt, 25617K] reports that about a decade ago, thousands of Latino children began quietly dropping out of public schools in 55 counties across the country. Over a two-year period, the number of Latino students in these counties fell 10 percent — or by almost 300,000 children. The vast majority of the children who disappeared from the rolls were American citizens. Some moved elsewhere in the United States, while others likely left, returning to the countries where their parents had been born. They were the counties where local police departments signed up for partnerships with the Immigration and Customs Enforcement agency. These partnerships

trained the local police to act as immigration agents in many situations. In some cases, they could stop people they merely suspected of being illegal immigrants and ask for their papers. The ICE partnerships are a fairly recent phenomenon. They were part of a law passed in 1996, and the partnerships didn't really begin to grow until 2007, under the George W. Bush administration. In counties with ICE partnerships, the Latino student population plummeted. It did not do so in otherwise similar counties without the partnerships.

ICE Arrests Dozens Trying to Sponsor Migrant Children in Government Care

[Fortune](#) [9/21/2018 3:39 PM, Renae Reints, 1531K] reports Immigration and Customs Enforcement has arrested dozens of individuals who came forward to house undocumented migrant children, charging them for their own immigration violations. Since the Trump administration's zero-tolerance policy that separated thousands of families at the border, the number of migrant children in government care has skyrocketed, reaching the highest numbers ever recorded. According to The New York Times, nearly 13,000 children are in the custody of Health and Human Services as of this month. Relatives or family friends of a migrant child can apply to sponsor them, giving the child somewhere to live other than a government detention center while they await their day in immigration court. A new policy requires all potential sponsors to undergo a fingerprint-based background check. This new process has allowed ICE to determine if the sponsors themselves are undocumented immigrants. "We've arrested 41 individuals thus far," ICE's acting deputy director, Matthew Albence, said at a Senate committee hearing this Tuesday, The Guardian reports. "Our data that we've received thus far indicates close to 80% of the individuals that are either sponsors or household members of sponsors are here in the country illegally, and a large chunk of those are criminal aliens. So we will continue to pursue those individuals." According to an anonymous ICE officer who spoke to CNN, just 12 of those arrests were criminal; the remaining 29 were for immigration violations.

Reported similarly: [VOX](#) [9/21/2018 2:10 PM, Dara Lind, 3472K, DC]

Why Did Mike Pompeo Slash the Number of the Refugees Allowed to the United States?

[New Yorker](#) [9/21/2018 4:48 PM, Jonathan Blitzer, 2547K, NY] reports that on August 22nd, Mike Pompeo, the Secretary of State, travelled to the White House for a meeting about refugee policy. Every summer, officials from the State Department and the National Security Council lead a series of discussions to determine the annual "cap" on the number of refugees that the country can admit over the following year, and, eventually, a figure is presented to the President. Pompeo's attendance signified that the process was nearing its conclusion. That afternoon, he was to join the other principals, including Kirstjen Nielsen, the Secretary of the Department of Homeland Security, and John Bolton, the national-security adviser, to finalize the decision. But, even at that late stage, according to three sources with knowledge of the talks, there was uncertainty. Pompeo wanted the number to be consistent with where it was for the current year, after the Trump Administration set it at 45,000 – the lowest level since the refugee program began, nearly 40 years ago. When it became clear that Pompeo supported 45,000, two former State Department officials with knowledge of the situation told me, Miller arranged to have the official meeting cancelled. It was finally held last Friday, after nearly a month of delays, and, on Monday, the Trump Administration announced its plan – it will reduce the annual refugee cap to 30,000.

Reported similarly: [ABC News Tampa Bay](#) [9/21/2018 4:05 PM, Ben Schamisso, 87K, FL]

Hunger, not violence, fuels Guatemalan migration surge, U.S. says

[Washington Post](#) [9/22/2018 8:00 AM, Nick Miroff and Kevin Sieff, 11614K] reports that Homeland Security officials have for the first time offered an explanation for a puzzling increase in the number of Guatemalan families showing up at the U.S. border this year seeking asylum. Rather than a spike in violence, the families appear to be fleeing a hunger crisis in Guatemala's western highlands, according to U.S. Customs and Border Protection, citing U.N. and USAID food insecurity data as well as the agency's own intelligence assessments. Years of meager harvests, drought and the devastating effects of "coffee rust" fungus on an industry that employs large numbers of rural Guatemalans is speeding up an exodus of families from villages bereft of food, CBP officials say. It also explains why large numbers of indigenous villagers who speak little or no Spanish have arrived with their children to turn themselves in to U.S. border agents, creating communication challenges for enforcement officials and immigration courts. The CBP assessment posits more traditional "push" factors – poverty and lack of opportunity – as a major driving force behind the latest migration trend, rather than an uptick in crime.

[MA] Judge denies bid to block courthouse immigration arrests

[New York Times](#) [9/21/2018 2:49 PM, Associated Press] reports a judge on Massachusetts' highest court denied a bid to block federal immigration agents from making arrests at state courthouses, though she expressed concern that the practice may be scaring off some witnesses and others needed in court. Justice Elspeth Cypher of the Supreme Judicial Court said in her ruling this week that she agrees that the "administration of justice" suffers when people who have business in court don't show up because they're afraid of being arrested by U.S. Immigration and Customs Enforcement. But Cypher said she could not order the "unprecedented" relief sought by civil rights and indigent defense groups because, among other things, she heard only one side of the argument and the groups' lawyers have refused to identify immigrants cited in the petition who say they're too scared to appear in court. The petition filed in March sought to prevent agents from arresting people in state courthouses for civil immigration violations. It was thought to be the country's first challenge of its kind to the practice, which has roiled immigration lawyers, advocates and some judges.

[NJ] NJ backs lawsuit challenging Trump administration's effort to end TPS

[North Jersey.com](#) [9/21/2018 8:05 PM, Steph Solis, 71K, NJ] reports that New Jersey is one of 17 states backing a lawsuit that challenges the Trump administration's decision to end temporary protected status for Haitians and immigrants from five other countries. The state Attorney General's office filed an amicus brief Friday in U.S. District Court for the Eastern District of New York urging a federal judge to review a lawsuit filed by a group of Haitians with temporary protected status, or TPS. Attorneys representing the federal government have asked that the lawsuit be dismissed. Attorney General Gubir Grewal joined attorneys general from 16 states and Washington, D.C., in arguing that terminating TPS is unconstitutional and could have a major impact on hundreds of thousands of immigrant families. Haitians became eligible for protections because of an earthquake in 2010 and Hurricane Matthew in 2016. More than 60,000 Haitians learned in November that they would lose their temporary protections on July 22, 2019.

[WI] Madison officials say ICE immigrant arrests violated policy

[U.S. News & World Report](#) [9/21/2018 7:32 PM, Associated Press] reports that Madison officials say federal Immigration and Customs Enforcement agents violated city policy by detaining at least six immigrants without letting police know ahead of time. Madison Police Chief Mike Koval says the department has a working relationship with ICE, but the federal agency did not follow protocol. Koval says ICE has agreed to call the assistant police chief before making arrests in Madison. This time the agency called the Dane County Communications Center. Koval says the arrests were made at separate workplaces and are not considered to be part of a raid. He says the community is in "hyper-warp distress mode." Madison Mayor Paul Soglin says ICE told city officials the people arrested are believed to have committed serious crimes, but he does not know the specifics of the investigation.

[WISC](#) [9/21/2018 6:05 PM, Staff, 22K, WI] reports that according to the mayor, "We're very disappointed in how ICE and the federal government are conducting themselves, and we are going to make our best effort to work with community leaders and to make sure that the rights of those individuals in ICE's custody are fully protected," Soglin said. [Editorial note: consult source link for video]

Reported similarly:

[Capital Times](#) [9/22/2018 6:17 PM, Shelley K. Mesch, 142K, WI]

[Capital Times](#) [9/21/2018 6:30 PM, Abigail Becker, 142K, WI]

[WIBA](#) [9/21/2018 6:12 PM, Staff, 1K, WI]

[FOX 47](#) [9/21/2018 7:19 PM, Staff, WI]

[FOX 47](#) [9/22/2018 10:14 PM, Staff, WI]

[FOX 47](#) [9/22/2018 11:52 PM, Madalyn O'Neill, WI]

[OR] Illegal Immigrants to Get \$1M for Legal Defense From Oregon Taxpayers

[FOX News](#) [9/23/2018 9:56 AM, Staff] reports that the Portland City Council approved a \$500,000 grant for potential deportees' legal services, and Multnomah County is matching that amount. A city official told Fox 12 that the funding, which is being called the "Universal Representation Project," is for illegal immigrants and refugees who may not be able to afford an attorney during legal proceedings. The grant money will go to Catholic Charities of Oregon, which will use the funds to hire attorneys and paralegals to represent potential deportees. The Oregonian reported that the \$500,000 from Portland will be drawn from the city general fund, which primarily pays for police, fire and parks operations.

On "Fox & Friends" on Sunday, former ICE supervisor Jason Piccolo said this move makes absolutely no sense. He noted that the Justice Department already provides a legal orientation program that gives lawyers training so they can represent illegal immigrants pro bono. "Every time an alien is encountered and arrested by ICE or through the Border Patrol, they're provided a list of legal services, pro bono," Piccolo said. "So, using taxpayer-funded money does not make any sense." Piccolo argued that this is just a political move that's being made for the anti-President Trump, anti-ICE optics. "Anything that counters President Trump is what the Democrats are going to do," he said.

Reported similarly:

[Oregonian](#) [9/21/2018 5:33 PM, Gordon R. Friedman, 724K, OR]

[FOX 12](#) [9/21/2018 2:44 PM, Sarah Hurwitz, OR]

Legal News

'Chilling' Immigration Court Hearings Led to Grievance Against DOJ

[Legal Intelligencer](#) [9/21/2018 12:50 PM, Max Mitchell, 118K, NY] reports the U.S. Department of Justice's recent decision to remove a Philadelphia immigration judge from a high-profile case and bring in a judge from Washington, D.C., sent a chill through the legal community and pushed the judge's union to file a grievance against the DOJ. The president of the National Association of Immigration Judges, which filed that grievance, is set to speak to the National Press Club on Friday afternoon. Law.com has obtained audio recordings of the controversial hearings that formed the basis for the grievance NAIJ filed in August. The recordings, obtained through a Freedom of Information Act request, include the May hearing before Judge Steven Morley, a Philadelphia immigration judge, and the July hearing before Judge Deepali Nadkarni, who was brought in from the Executive Office for Immigration Review in Washington, D.C., to handle the case.

DOJ review finds immigrant legal education program ineffective; provider calls study flawed

[ABA Journal](#) [9/21/2018 3:55 PM, Lorelei Laird] reports a Justice Department review of its own legal education program for immigrants has found that those in the program are remaining in detention for longer on average than non-participants, the Associated Press has reported. But a nonprofit that provides the education says the DOJ's study has "insurmountable methodological flaws." The dispute is over the Legal Orientation Program, which provides basic information on immigration court cases to immigrants in detention. The Executive Office for Immigration Review in the DOJ contracts with the nonprofit Vera Institute for Justice to deliver those services; the ABA Commission on Immigration is one of several subcontractors to Vera. In April, the DOJ said it was suspending the program pending a review of its cost-effectiveness. After a public outcry, including from the ABA, the department abandoned the suspension but continued with its review.

[PA] For a family in church sanctuary, a legal way out?

[The Inquirer](#) [9/22/2018 3:55 PM, Jeff Gammage, PA] reports since December, when the weather turned and temperatures fell to freezing, through the emerging warmth of spring and summer and now fall, Carmela Apolonio Hernandez and her four children have stalled their deportation to Mexico by living in the basement of a North Philadelphia church. Hernandez, 37, has applied for what is called a U visa, which can be granted to people who have been the victims of certain types of crimes in America, and who help police investigate and prosecute the criminal activity, her lawyer confirmed. Today 14 men, women, and children are in sanctuary in Philadelphia, more than in any other city in the country. Hernandez and her children — Edwin, 9; Yoselin, 12; Keyri, 13; and Fidel, 16 — have been there the longest. They fled to the United States in August 2015, after being threatened by the same drug criminals who had killed her brother and two nephews. The family was denied asylum, and took sanctuary only days before their Dec. 15 deportation date. The children have been able to attend public school, left alone by agents from Immigration and Customs Enforcement, known as ICE. An ICE spokesperson declined to comment, citing privacy restrictions. Hernandez's relatives, she said, were taxi drivers, killed when they were unable to pay an extortion fee. After she and her elder daughter were threatened and assaulted by the same gangsters, the family fled north, approaching U.S. authorities near San Diego and asking for asylum. After three days in detention they were released to the care of a relative, an American citizen in Pennsylvania. Hernandez is appealing the denial

of asylum in federal court. And she's seeking relief before the Board of Immigration Appeals, based on a recent Supreme Court ruling on the handling of key deportation documents.

[OH] Accused killer Claudia Hoerig files petition to throw out case

[WKBN 27 News](#) [9/21/2018 11:59 PM, Jennifer Rodriguez, 23K, OH] reports that accused killer Claudia Hoerig is trying once again to get her case thrown out. Hoerig filed the new complaint Friday in her own handwriting and put a return address on the court filing of her jail cell. This implies she filed this petition on her own, without her lawyer. In the petition for a Writ of Habeas Corpus, she claims law enforcement made up the case against her. She also claims the affidavit is "unlawful" and was fabricated with "the help of several Ohio authorities" and did not comply with federal laws. She accuses the judge and U.S. Immigration and Customs Enforcement (ICE) of violating U.S. and Brazilian law by bringing her back to the U.S. to stand trial. Hoerig is charged with the 2007 murder of her husband, Air Force Major Karl Hoerig.

[WA] Asylum Seekers Ask Wash. Court For Bond Hearings

[Law 360](#) [9/21/2018 5:34 PM, Nicole Narea] reports a proposed class of asylum seekers asked a Washington federal court on Thursday to order the Trump administration to provide them with timely bond hearings before an immigration judge.

Enforcement News

Tearful reunion for mother and 11-year-old son who spent months in ICE custody

[CBS News](#) [9/22/2018 10:23 AM, Staff] reports that Karen Yadira Rodriguez Gutierrez broke down in tears on Saturday when she was reunited with her 11-year-old son at Washington Dulles International Airport. They were seeing each other for the first time in several months. Immigration and Customs Enforcement detained the boy for more than six months, after claiming asylum at the border. His mother was already living in Virginia as a legal asylum seeker from Honduras. The boy had crossed California border with his undocumented grandmother, seeking asylum. "They were seized after presenting at a border entry point," said a press release from Nexus Services, which provided legal aid to the mother. The two were together for a few days while detained. Detention center officials later separated them. The reunion took place after Gutierrez filed a lawsuit against the Trump administration. President Trump's "zero-tolerance" policy, which resulted in thousands of children being separated from their families at the border, sparked widespread outrage this summer.

Additional reporting:

[WBUR](#) [9/21/2018 4:02 PM, Shannon Dooling, 228K, MA]

[FOX 16](#) [9/21/2018 9:27 PM, Staff, 13K, AR]

A Mauritanian man escaped his country's ethnic cleansing. ICE deported him anyway.

[Reveal](#) [9/24/2018 2:25 AM, Laura C. Morel] reports in his native Mauritania, Seyni Malick Diagne was arrested and expelled to a refugee camp because of the color of his skin. He fled to the United States in 2001 and settled in Columbus, Ohio, home to a growing community of black Mauritians who escaped their country's ethnic cleansing in the 1990s.

Diagne, 64, is undocumented. His asylum claim was denied and an immigration judge issued a removal order in 2005. But he wasn't a priority to Immigration and Customs Enforcement, so the agency "permitted Diagne to remain free from custody to pursue legal remedies in his case," a spokesman said. That changed on June 13, when ICE arrested Diagne. He is among dozens of Mauritians who have been deported this year despite calls from human rights organizations asking the U.S. government to stop the removals. Advocates say black Mauritians who were exiled decades ago aren't considered citizens and face discrimination in a country that was the last in the world to abolish slavery in 1981. Their deportations are a result of increased immigration enforcement under the Trump administration.

ICE deported nearly 192,000 immigrants so far this fiscal year, a 9 percent increase over the same time period in 2017, according to federal figures released this month. Diagne's lawyers asked the Board of Immigration Appeals to stop his removal. Besides the risks awaiting him in Mauritania, he was also diagnosed with kidney cancer, according to court filings. But the motion was denied. Hours before Diagne boarded a plane at Dulles International Airport on Aug. 22, his attorneys filed an emergency stay of removal with the U.S. Court of Appeals for the Sixth Circuit. It was too late: Diagne was deported that night. When ICE arrested Diagne, he told the agency about his cancer, according to court records. He also told ICE about his Hepatitis B and failing vision. But his lawyers say that Diagne did not receive medical attention while in detention. ICE didn't answer Reveal's questions about Diagne's medical care. A spokesman said the agency "is committed to ensuring the health, safety, and welfare of all those in our care." "In accordance with ICE's rigorous performance-based national detention standards," he added, "the agency ensures continuity of care from admission to transfer, discharge, or removal."

[MA] Filipino immigrant released from ICE facility after 3.5 months in detention

[News 12 New Jersey](#) [9/21/2018 9:32 PM, Staff, 34K, NJ] reports that a Filipino immigrant who has been living in the United States for 30 years was freed from an immigration detention facility after 3 1/2 months. Cloyd Edralin is a valid Green Card holder living in the United States legally. He was arrested and threatened with deportation due to a 12-year-old weapon conviction. Edralin was released Thursday evening after a judge's order. Edralin was arrested outside his home June 4 while getting into his car for work. He says that Immigration and Customs Enforcement agents rushed him and asked him a very specific question. He was cited for possessing a BB gun, spent four years on probation, and thought that the case was completed. Edralin is one of many immigrants detained by ICE since President Donald Trump came into office.

[CT] New Haven Students Walk Out Of School To Protest Deportation Of Local Resident

[WNPR](#) [9/21/2018 3:55 PM, Lori Mack, CT] reports a coalition of New Haven high school and college students staged a walkout Thursday in support of Nelson Pinos. He's the Ecuadorian husband and father of three who took sanctuary in a city church nearly a year ago to avoid deportation. More than 200 advocates held a rally on the steps of the First & Summerfield United Methodist Church. That's where Pinos has been seeking refuge to avoid a federal order to leave the country. Mary Claire Whelan, a senior at Yale University studying ethnicity, race and migration, said she came out in support of every undocumented immigrant in the city, especially Pinos, who's been living in the church for more than 290

days. Whelan said Pinos' case is with the Board of Immigration Appeals headquartered in Falls Church, Virginia.

[NY] ICE Deports Brooklyn Grandmother After Three Decades In U.S.

[Gothamist](#) [9/21/2018 9:10 AM, Claire Lampen, 280K, NY] reports Immigration and Customs Enforcement deported a Brooklyn woman who has lived in the U.S. for three decades to Mexico on Tuesday night, without giving her family members any notice. According to NY1, Gloria Hernandez Suarez arrived in the United States 33 years ago, in 1985. The 61-year-old has reportedly spent the past two months in a detention center in New Jersey – a state that's making millions every month off its agreement to hold detainees – after ICE agents showed up at her door and arrested her in mid-July. She allegedly used a fake ID to reenter the country after a visit to Mexico in 2001, and her family says ICE took notice due to a filing mistake by her former attorney. According to NY1, her former attorney also told her she didn't need to attend the hearing set for her. The New Sanctuary Coalition tells Gothamist that Suarez's trouble began after her husband went to her former immigration lawyer seeking to sponsor his wife, and although he did not specifically ask about asylum, that's the route the attorney went.

[VA] In a suburban classroom, learning to parent the sons she left behind

[Washington Post](#) [9/21/2018 7:00 AM, Antonio Olivo, 11614K] reports Elam Reyna sat through her first parenting class, filled with worry. The housekeeper from Guatemala was adjusting to being a day-to-day mother, nearly 13 years after leaving her home country and placing her two sons and their baby sister in the care of her grandparents. Now the boys had made a similar journey, fleeing gang threats. They were struggling to become a family again. Jafet, then 15, was cutting classes at Falls Church High School and hanging out with a boy who seemed to be involved with members of the MS-13 gang in their Annandale neighborhood. Both he and his brother, Jeshua, two years his senior, had lashed out at their mother, and tension was building in their crowded apartment as she tried to assert authority. Elam Reyna — who asked to be identified by her middle name and only part of her last name because she is in the United States illegally — was determined to bring order to her home and be a good mother, even if seeking help with her sons could jeopardize their chances of staying in the United States.

While attention has focused this summer on migrant families separated at the U.S.-Mexico border as a result of President Trump's "zero-tolerance" policy, a far higher number of children, usually in their teens, are struggling to make their way after crossing the border themselves and applying for asylum protections. The vast majority are not involved in criminal activity. But the surge of young border crossers — nearly 140,000 since 2014 — has contributed to a rise in gang violence, authorities say. Helping parents and other guardians bond with and guide their children is considered a vital step in steering them away from negative behavior and toward positive, productive lives. A federal agent has determined that Jafet and Jeshua had a credible fear of returning to Guatemala and began processing them as applicants for asylum. Their case may be complicated by a recent ruling by Attorney General Jeff Sessions, who said gang violence usually won't count as persecution. The asylum claims remain in limbo.

[MO] Illegal immigrant has spent over a year seeking sanctuary in a church

[KBSI](#) [9/21/2018 10:10 PM, Staff, 5K, KY] reports a year ago today a Poplar Bluff man of more than 12 years took refuge inside a church in St. Louis after being ordered to leave the

United States. Alex Garcia's wife, lawyer, and church leaders say in the last year, Immigration and Customs Enforcement's stance has not changed. Garcia's lawyer says Alex has been caught trying to cross the border in the past, so, it may be difficult for him to become a citizen. So, for now he is staying in the church with his family travelling up to St. Louis as often as they can to see him. [Editorial note: consult source link for video]

[St. Louis Public Radio](#) [9/21/2018 11:03 AM, Carolina Hidalgo, MO] reports that last year, supporters launched a campaign called "Alex Belongs Here." It encourages supporters to reach out to elected officials and to the director of ICE's Chicago field office, who has the power to grant Alex a stay of removal.

Reported similarly: [Riverfront Times](#) [9/21/2018 6:18 AM, Doyle Murphy, 63K, MO]

[MI] ICE halts deportation of deaf Detroit immigrant

[Detroit Free Press](#) [9/22/2018 7:44 AM, Niraj Warikoo, 348K, MI] reports U.S. immigration authorities have halted for at least 30 days the deportation of Francis Anwana, a deaf and disabled Detroit immigrant from Nigeria whose case has garnered increasing support. Anwana, 48, and his attorneys met with ICE officials on Friday to discuss his case, which will be reviewed over the next month. ICE had previously ordered that Anwana leave the U.S. by Sept. 11, only giving him five days advance notice. Attorneys for Anwana with the Michigan Immigrant Rights Center then filed a stay of removal request, asking to put his deportation on hold. ICE told Anwana's attorneys they have accepted his stay of removal application and are reviewing it, said Ruby Robinson, an attorney with the Michigan Immigrant Rights Center. ICE will review the case over the next 30 days and later make a decision. ICE halting his deportation comes after a public outcry from advocacy groups and elected officials. U.S. Rep. Dan Kildee, D-Flint, has introduced a congressional bill that would block the deportation. The first week of September, Anwana was told he had to leave by Sept. 11. Khaalid Walls, a spokesman for ICE, said: "Mr. Anwana, a citizen of Nigeria illegally residing in the U.S., was admitted to the United States in 1987 as an F-1 nonimmigrant student, but violated the terms of his admission by remaining in the U.S. when he was no longer enrolled in school, which made him subject to removal."

Reported similarly: [MSN](#) [9/22/2018 9:51 PM, Staff] reports

[IL] An Illinois priest living legally in the U.S. for 14 years is being deported — over a single vote he shouldn't have cast

[Washington Post](#) [9/24/2018 6:42 AM, Meagan Flynn] reports the Rev. David Boase has presided over enough baptisms and funerals in Alton, Ill., that the town began to feel smaller than it really was, full of people the priest has watched grow up or grow old. He has been a priest at two Episcopal churches for the past 14 years in Alton, a southern Illinois river town on the banks of the Mississippi, and when he arrived from England in 2004, he said he knew fairly quickly that he never intended to leave. "It was a heartfelt sense of belonging, and that was a large part of the impetus of my seeking citizenship," Boase, 69, told The Washington Post. "I just wanted to belong in the fullest possible way here in America, as a responsible citizen." But that's all scheduled to come crashing down Friday, when Boase, a legal permanent resident, expects to be removed from the country by an immigration judge because of a violation 12 years ago. At issue? A single vote cast in 2006. Boase was placed in removal proceedings last month, roughly a year after he admitted during his citizenship interview with U.S. Citizenship and Immigration Services that, yes, he

once registered to vote, and yes, he once cast a vote.

Boase's notice to appear in immigration court — the charging document that initiates removal proceedings — specifies that his one trip to the polls in 2006 is the reason for his removal. It does not mention any other aggravating factors, and David Cox, Boase's immigration attorney, said there are none. Cox suspects that the government's decision to instead seek Boase's removal stems from a change in USCIS policy this summer. The policy memorandum, issued June 28, sought to "align [USCIS's] policy" for initiating deportation proceedings "with the enforcement priorities" of DHS, which were outlined in President Trump's January 2017 executive order, USCIS said in an announcement. Like Trump's executive order, the new USCIS guidelines broaden the classes of immigrants that USCIS would be not only encouraged to deport, but required to deport. This includes not just those who have been convicted of a crime but also people who haven't been, if they've "committed acts that are chargeable as a criminal offense...." Such acts include unlawful voting. In a policy brief issued in July, the American Immigration Lawyers Association warned that this new policy "ties the hands of [USCIS] officials and eviscerates the concept of prosecutorial discretion," while clogging up overburdened immigration courts with thousands of people USCIS otherwise likely wouldn't have referred for removal in the past.

Reported similarly: [Spero News](#) [9/21/2018 5:05 PM, Martin Barillas, 4K, TX]

[NE] Grand jury indicts 8 people in connection with August immigration raids

[Omaha World Herald](#) [9/22/2018 2:55 PM, Nancy Gaarder and Alia Conley, NE] reports a grand jury has issued indictments against at least eight workers picked up in the immigration raids that occurred Aug. 8 at Nebraska agriculture-related businesses. A total of 118 workers, many in O'Neill, Nebraska, were arrested by officials from Homeland Security and Immigration and Customs Enforcement on suspicion of being in the country illegally. Additionally, 17 people connected to an alleged conspiracy to exploit illegal labor for profit, fraud and money laundering were arrested. The next hearing for the conspiracy case is scheduled for October. Assistant U.S. Attorney Mike Norris said some of the workers who were taken into custody were not charged with illegal reentry after deportation because they haven't been previously removed from the country.

[CO] Man Charged With 141 Counts Of Arson In Spring Fire Will Stand Trial

[CBS Denver](#) [9/21/2018 1:44 PM, Staff, 157K, CO] reports a judge has ruled that a Denmark native will stand trial for 141 counts of arson, representing the homes and buildings destroyed by the Spring Fire — the third-largest wildfire recorded in Colorado. Authorities arrested Jesper Joergensen on June 28 after he told police that he started a fire to burn trash. Joergensen then told police that he was grilling in a fire pit the day before the wildfire started. Officials announced in early September that the fire had been fully contained after destroying more than 100,000 acres and burning more than 100 structures. The Alamosa Valley Courier reports Waldo argued that Joergensen should not face felony charges because he did not intend to cause the damage attributed to the wildfire. The Department of Homeland Security along with U.S. Immigration and Customs Enforcement told Costilla County Sheriff's officials Joergensen was in the country illegally and his visa had expired.

Reported similarly: [Denver Channel](#) [9/21/2018 3:17 PM, Blair Miller, 126K, CO]

[AZ] ICE raid results in 7 arrests

[Mohave Valley News](#) [9/23/2018 2:25 AM, Staff, 4K, AZ] reports that agents from Homeland Security Investigations, working with special agents from the Lake Havasu City and Bullhead City police departments, made seven arrests last week in an investigation into human trafficking and forced labor in the area. Yasmeen Pitts O'Keefe, public affairs officer for the U.S. Immigration and Customs Enforcement's Arizona field office, said Friday that state search and arrest warrants were served at "various massage parlors and homes" where crimes were suspected to have been committed. "At this time, seven people were taken into custody and will be charged with various state charges related to sex trafficking, money laundering, and facilitating prostitution," Pitts O'Keefe said in an email to the Mohave Valley Daily News. "HSI and our partnered law enforcement agencies successfully rescued one female victim. She is a Chinese national now in a safe and secured location."

[AZ] Coming of Age in American Detention

[New York Times](#) [9/22/2018 3:21 PM, Staff, 25617K, NY] reports that in the fall of 2017, Wilmer Ramirez had reason to be hopeful. After he trekked from Guatemala and spent several months in a youth migrant shelter in Arizona, his application for "special immigrant juvenile status," a designation that would make him eligible for lawful permanent residency, was pending. The only thing between him and freedom was a little more paperwork. When he turned 18, federal Immigration and Customs Enforcement officials came to the shelter, placed him in handcuffs, and carted him off to a nearby jail. When children become adults, the Office of Refugee Resettlement, which is part of the Department of Health and Human Services, turns them over to the Department of Homeland Security, which places them in "adult detention," a term that usually means county jail. Federal law requires ICE to place children and teenagers in the least restrictive setting possible, even after they turn 18. Critics say the number of migrant children who face jail as they "age out" of youth shelters is climbing, and it's easy to see why.

[CA] Community helps in recapturing escaped inmate

[KYMA](#) [9/22/2018 5:45 PM, Roy Dorantes, CA] reports that Imperial County Sheriff's Office said they recaptured 24-year-old Jacob Roman Mariscal on Friday. Mariscal was reported to have walked away from a work detail near Brawley earlier this week. I.C.S.O Sgt. Jorge Cabanillas said, "This individual is back in custody now. He was apprehended last night, right around 7 p.m." With community's help and investigative work, Sheriff's Deputies, Brawley Police and Homeland Security Investigations found Mariscal hiding in a residence on the 500th block of Poe Court, about a mile north of Brawley. Brawley police said a 29-year-old woman, Laura Arreola, was arrested, as well, and charged with being his accomplice.

[CA] Judge Agrees To Release ICE Detainee From Colorado Jail, Supporters Say

[SF Gate](#) [9/21/2018 3:55 PM, Staff, CA] reports about 20 people rallied outside of the U.S. Immigration and Customs Enforcement office in San Francisco today, ahead of an asylum hearing for a San Jose man facing deportation. Misael Quezada Flores emigrated to the U.S. from Mexico nearly 20 years ago and, in May, he was detained by ICE agents outside his home. Since being jailed, he's been moved from the West County Detention Facility in Richmond to a jail in Aurora, Colo. Flores is among several detainees in ICE custody who have been moved from the Richmond jail to states like Washington and Colorado, since the Contra Costa County Sheriff's Office terminated its contract with ICE in July. Officials with ICE were not immediately available for comment.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Tuesday, Sept. 25, 2018

Executive Office for Immigration Review

Groups decry Sessions' ruling that limits judges' ability to dismiss deportation cases 2

Quotas Hurt Immigration Judges' Independence, Union Head Says 2

Judge blasts plan to fast-track immigration, deportation cases 3

Policy and Legislative News

An Unhealthy Plan to Drive Out Immigrants 3

2 Months After Court Deadline, Data Show 403 Migrant Children Separated From Parents 3

Trump Reforms Cut Back Migrant Youth-to-Illegal Alien Relative Pipeline 4

Migrants Get a Second Chance at Asylum. But It's Still an Uphill Battle 4

Homan: Yale Study on Illegal Immigrants Gives Trump 'More Ammunition' to Push Border Reform 4

Former ICE acting director: Border walls work 5

[CO] ICE Way Behind on Processing FOIA Requests, Federal Case in Denver Shows 6

[CA] Undocumented Immigrant Faces a Choice: Become an Informant for ICE or Be Deported 6

Legal News

Immigrants, Migrants Caught In Middle Of Rural Lawyer Shortage 7

[MI] Feds Lose Bid To Toss Case Challenging Removal Of Iraqis 8

[TX] Former ICE attorney working in Rio Grande Valley to reunite separated families 8

Enforcement News

[CT] Students Rally in Support of New Haven Man Facing Deportation 9

[NY] Suspected birth tourism site reportedly at center of New York City stabbing spree 9

[NJ] ICE wanted to deport this N.J. man over an old conviction. He fought back – and won 10

[AL] Suspected undocumented immigrant arrested for DUI in Mobile... 10

[FL] Brevard Commission OKs measure to crack down on potential for illegal immigrant workers.....	10
[MO] Man admits employing more than 10 undocumented immigrants at Desloge restaurant	10
[OH] 100 armed agents and 143 arrests: the ICE raid that traumatized a small Ohio town	11
[OH] 5 Mauritians in Ohio win temporary halt to deportation	11
[OH] Deported Mexican mother of 4 citizens back to pursue asylum.....	11

[MI] Hearing Set for Man Seeking Sanctuary in Michigan Church.....	12
[WI] Immigration rights group says 34 detained by ICE	12
[WI] Madison law enforcement, local leaders condemn ICE's tactics amid arrests	13
[TX] DPS: Driver in hit-and-run that killed man outside Kyle arrested	13
[Mexico] A military family, divided: After deportation, a Marine veteran's wife searches for a future.....	14

Executive Office for Immigration Review

Groups decry Sessions' ruling that limits judges' ability to dismiss deportation cases

[ABA Journal](#) [9/24/2018 7:05 AM, Lorelei Laird, 55K] reports that U.S. Attorney General Jeff Sessions has ruled that immigration judges have no inherent authority to dismiss cases, provoking an outcry from immigration-law-focused groups. In a ruling dated Sept. 18, Sessions forbade immigration judges from dismissing cases as an act of judicial discretion. Rather, he ruled, immigration judges may dismiss cases only when the Department of Homeland Security – whose attorneys act as a kind of prosecutor in immigration cases – requests it, or when immigrants prove their cases or achieve a legal immigration status. This takes away judges' ability to dismiss cases they believe are not worth everyone's time or cases they believe deserve extra time. "The authority to dismiss or terminate proceedings is not a free-floating power an immigration judge may invoke whenever he or she believes that a case no longer merits space on the docket," Sessions wrote. "Rather, [the Code of Federal Regulations] constrains immigration judges' discretion." That ruling came in for sharp criticism from the American Immigration Lawyers Association, which issued a press release Sept. 19 calling the ruling "part of a systematic effort to marginalize the role of immigration judges in their own courtrooms." It called for the immigration courts to be made part of an independent federal agency.

Quotas Hurt Immigration Judges' Independence, Union Head Says

[Law 360](#) [9/24/2018 7:35 PM, Kevin Penton] reports the head of the union representing the nation's immigration judges on Friday urged Congress to support legislation that would make them members of an independent court outside from U.S. Department of Justice oversight, arguing the move is necessary to ensure the rights of the individuals who go before them. Recent DOJ initiatives such as imposing performance quotas on the judges — who are considered federal employees — are being presented by the Trump administration as ways to bring under control a backlog of more than 700,000 immigration cases, but are really meant to wield influence on the judges, said Judge A. Ashley Tabaddor, president of the National Association of Immigration Judges. The legislation is being worked on and has yet to be introduced. In April, the Justice Department's Executive Office of Immigration Review informed immigration judges that, starting in October, it will begin considering the quantity of cases they process in their performance evaluations as a means of expediting

proceedings. Immigration judges must complete 700 cases annually and remand less than 15 percent of cases to have satisfactorily met their job expectations, according to an agency memo. In addition, the agency provided six benchmarks related to case completion and adjudication of motions, three of which would have to be met — along with the other requirements — to achieve a satisfactory performance rating. DOJ officials could not be reached for comment on Monday.

Judge blasts plan to fast-track immigration, deportation cases

[East Bay Times](#) [9/24/2018 3:21 PM, Tatiana Sanchez, 168K, CA] reports that federal immigration judges are being challenged in "unprecedented ways" under a new Department of Justice policy that will require them to complete 700 cases a year — or risk being fired — in an effort to speed up deportations, the president of the National Association of Immigration Judges said Sunday. Calling the policy "indefensible and unreasonable," Judge Ashley Tabaddor said the quota will take a significant psychological toll on judges and will compromise their judicial values, forcing them to rule on some cases in just a few hours. "It's something that would never, never be tolerated in any other court," Tabaddor told this newspaper Sunday, speaking under her authority as president of the judges' union. "It pits the judge's personal interest against that of the parties before them. And that is in violation of every principle that we have when it comes to our court system and our American judicial system." The Justice Department couldn't be reached for comment Sunday. It first notified immigration judges of the quota in a March memo first obtained by the Wall Street Journal. The policy, which goes into effect Oct. 1, comes amid an aggressive push by Attorney General Jeff Sessions to slash the court backlog in immigration cases in half by 2020.

Policy and Legislative News

An Unhealthy Plan to Drive Out Immigrants

[New York Times](#) [9/24/2018 11:57 PM, Editorial Board, 25617K] reports that on Saturday, the Department of Homeland Security proposed a rule that would enable it to deny green cards and visas to immigrants here legally who have used public health and nutrition assistance, including Medicaid and food stamps. The new rules would also offer some exemptions — participation in the Women, Infants and Children nutrition program and the Children's Health Insurance Program would be excluded, for example, as would refugees and asylum seekers and minors with Special Immigrant Juvenile status, meaning they had been abused or neglected. In an announcement on Saturday, Homeland Security Secretary Kirstjen Nielsen said that she expected the rule to "promote immigrant self-sufficiency and protect finite resources by ensuring that they are not likely to become burdens on American taxpayers."

Reported similarly:

[Newsweek](#) [9/24/2018 12:51 PM, Chantal Da Silva]

[Washington Examiner](#) [9/24/2018 7:07 PM, David Bier, 535K, DC]

[VOX](#) [9/24/2018 9:50 AM, Dara Lind]

2 Months After Court Deadline, Data Show 403 Migrant Children Separated From Parents

[WBUR](#) [9/24/2018 3:38 PM, Jeremy Hobson, MA] reports more than 400 migrant children remain separated from their parents two months after the court-ordered deadline for the

Trump administration to reunite them. Meanwhile, immigration officials are preparing to restart asylum hearings for up to 1,000 separated families thanks to a deal brokered by the ACLU. Here & Now's Jeremy Hobson speaks with USA Today immigration reporter Alan Gomez. [Editorial note: consult source link for audio]

Trump Reforms Cut Back Migrant Youth-to-Illegal Alien Relative Pipeline

[Breitbart](#) [9/24/2018 11:47 PM, John Binder, 2213K] reports President Donald Trump's reforms to the country's immigration and border system have increased the number of migrant youth who are living in government shelters significantly compared to last year. There is now an estimated 12,000 migrant youth in federal shelters near the United States-Mexico border, five times the number of migrant youth who were in the shelters last year, federal data reveals. The increasing number of young migrants who are not readily handed over to illegal alien relatives is a result of Trump's immigration and border reforms that now require rigorous vetting of all adults in a home to which a migrant child is trying to be relocated. The Obama-set policy of delivering young migrants to their illegal-alien relatives is being cut back by Trump's reforms, mostly because those illegal alien relatives are now required to submit their identity and fingerprints to federal immigration officials. As Breitbart News' Neil Munro reported, the vast majority of relatives who accept the migrant youth after the children have crossed the U.S.-Mexico border are illegal aliens, Department of Health and Human Services officials have previously noted. This Unaccompanied Alien Children child-migration process was created by the cartels' and migrants' exploitation of loopholes in the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

Migrants Get a Second Chance at Asylum. But It's Still an Uphill Battle

[Texas Tribune](#) [9/25/2018 12:01 AM, Hannah Wiley, TX] reports Ruby Powers didn't rush to celebrate when her client, a Honduran mother who has been separated from her 15-year-old son and detained for four months, passed her second "credible fear" interview to restart the asylum process. Although the president and the American Civil Liberties Union have come to an agreement giving migrant families separated at the border this summer a second chance to make their case for staying in the country, immigration lawyers say the Trump administration is still working overtime to upend the nation's asylum process. And while a few hundred people may get a second chance at asylum, there are likely tens of thousands of asylum-seekers who will be subject to a tightened asylum process. The primary source of their unease? U.S. Attorney General Jeff Sessions, who has fought hard to tighten his grip over the asylum process through this summer's since-overturned "zero tolerance" policy that separated migrant parents from their kids; his overt criticism of Trump's decision to return to "catch and release," where undocumented immigrants are not immediately deported; and his June announcement that removes domestic abuse and gang violence from consideration in most asylum cases. There is also a federal effort afoot to change the Flores Settlement Agreement, which prohibits the federal government from detaining migrant children for longer than 20 days. As recently as Sept. 18, Sessions said he's considering reviewing a case that would remove immigration judges' power to release detainees on bond. If reversed, the result could be prolonged detention for immigrants who are awaiting asylum hearings. With a backlog totaling nearly 750,000 cases as of the end of August, asylum-seekers might face months, even years, in detention.

Homan: Yale Study on Illegal Immigrants Gives Trump 'More Ammunition' to Push Border Reform

[FOX News](#) [9/24/2018 10:36 AM, Staff] reports that Tom Homan reacted on Monday on Fox & Friends to a study saying the number of illegal immigrants currently in America may be double the estimated amount. The study, conducted by researchers from Yale University and the Massachusetts Institute of Technology, estimated that an average of 22 million undocumented immigrants are living in the United States. Researchers took into account the number of deportations, border apprehensions and visa overstays to support their findings. "I think this gives the president more ammunition to say 'Look, we need to fix this border,'" said Homan, former director for Immigration and Customs Enforcement. The study's researchers said that the current 11.3 million estimate is based largely on survey data from the Census Bureau. Homan added that even though he's not sure what set of numbers to believe, the study shows the need for total immigration reform. "How much bigger than 12 million do you need to be to recognize there's a problem?" he said. Homan implored Americans to make it known to their local politicians that immigration reform needs to be taken seriously. [Editorial note: consult source link for video]

[SCPR](#) [9/24/2018 12:51 PM, Staff, 98K, CA] reports researchers from Yale University and Massachusetts Institute of Technology reveal what was described as a "conservative" number of 16.7 million in 2016 and an average of 22 million. Researchers used a model that estimates how many undocumented immigrants flow into the country and subtracted how many flow out in order to calculate the total undocumented population. They based their study on data collected from deportations, border apprehensions, visa overstays, death rates and immigration rates. [Editorial note: consult source link for audio]

Former ICE acting director: Border walls work

[FOX News](#) [9/24/2018 6:47 AM, Staff, 11653K] reports that the far-left media is pushing a false narrative to the American people, says Tom Homan, Fox News contributor for former ICE acting director. [Editorial note: consult source link for video]

[The Daily Caller](#) [9/24/2018 10:40 AM, Nick Givas, DC] reports that Homan told Republicans to forget about the midterm elections and urged them to secure the southern border with a wall. "Every place they have put a wall up or a barrier it has worked — 100 percent of the time," Homan said on "Fox & Friends" Monday. "Not some of the time, every time they put a barrier up, illegal crossings have dropped," he said. "Why would we want the wall? But the far left media is pushing a false story to the American people." Homan was asked about the Republican Congress' lack of action on border security and he said it irritates him to see politicians put their personal ambitions above the needs of their constituency. "They know it works. I get frustrated with the Democrats because none of them want the wall, right. They all want sanctuary cities to keep illegal aliens in, but they don't want to a wall to keep them out, which I think is completely backwards," he continued.

Homan told Republicans to forget their standing in the polls and focus on getting the wall built. "These people have taken an oath to defend this nation and they're supposed to be working for their constituency," he said. "The wall is proven to work. They should support it and put their political ambitions aside. Stop worrying about November and do the right thing for this country." "It's just not about the wall either," Homan concluded. "They need the technology and the manpower to respond to the wall." [Editorial note: consult source link for video]

Reported similarly: [Washington Times](#) [9/24/2018 5:02 PM, Stephen Dinan, 602K, DC]

[CO] ICE Way Behind on Processing FOIA Requests, Federal Case in Denver Shows

[Westword](#) [9/24/2018 8:19 AM, Chris Walker, 159K, CO] reports that a local civil rights organization has taken Immigration and Customs Enforcement to federal court for failing to fulfill open records requests in a timely manner. The case against ICE, which is being heard in Denver and has been brought forward by the Civil Rights Education and Enforcement Center, centers around the agency's processing of Freedom of Information Act requests. The case is offering a rare glimpse into how ICE, a growing and largely secretive government bureaucracy, handles open records requests – a relatively routine process that's predicated on government transparency. According to ICE's own policies, it is supposed to respond to FOIA requests within twenty business days of submission.

CREEC, a highly regarded civil rights organization whose co-founders are being honored by the ACLU of Colorado on September 27 with lifetime recognition awards, filed nine FOIA requests to ICE last August and September. A year after filing those requests, CREEC has yet to receive a single document. Staff members have repeatedly called the number that ICE provided for its FOIA office, only to reach an answering machine every time, which tends to be full. On February 7, the organization sued ICE in a Colorado court. The wheels of the federal court case are slowly turning, but a declaration submitted to the court by ICE has already proven to be revealing. In a filing made on August 6, ICE FOIA Officer Catrina Pavlik-Keenan made a number of significant claims that shed light on how the agency has treated open records request in a time when the Trump administration has simultaneously ramped up immigration enforcement, enacted a "zero tolerance" policy that enabled family separation, and has made ICE a front-and-center player of campaign events. In it, she reveals that ICE has a backlog of 1,988 FOIA requests and that the numbers of overall requests jumped from 44,738 in fiscal year 2017 to 79,915 requests received in fiscal year 2018 up to July 30. She reveals that the FOIA office at ICE was dealing with 78 lawsuits as of early August, for which the agency has only assigned three "litigation processing unit" employees to turn over documents at the discretion of judges in those cases.

[CA] Undocumented Immigrant Faces a Choice: Become an Informant for ICE or Be Deported

[The Intercept](#) [9/24/2018 1:54 PM, Ryan Katz, 441K] reports it was still dark on a crisp morning in March 2017 when Carlos Rueda Cruz clambered into his Toyota Tacoma pickup truck to go to work. Carlos made it three blocks before he saw the flashing lights in his rearview mirror. The police approached with guns cocked, Carlos said. Soon, according to Carlos, he would be drawn against his will into a deal with U.S. Immigration and Customs Enforcement, which asked him to snitch on other undocumented immigrants or face deportation. When he refused to comply, he faced retaliation. This account is based on more than 300 pages of documents and interviews with Carlos, his relatives, and his attorney. ICE declined to comment on most aspects of Carlos's case, though an agency official said an inquiry had determined that some of Carlos's accusations were unfounded. ICE released Carlos on an order of supervision, an arrangement in which the agency temporarily agrees not to deport an undocumented person. Under the order, the immigrant must meet certain conditions, such as showing up for monthly or annual check-ins, wearing an ankle monitor, and obtaining permission from ICE before traveling out of state. Mike Magee, a former ERO agent, said he never employed informants but wished he had. When told about ERO's handling of Carlos, Magee called it a "novel" tactic. Ostensibly, he said, many immigrants live in the same community and would be well positioned to find others for ERO. "It's something, as a manager, I would have tried. Maybe I'd do it for four months or so and see how it turned out," Magee said.

ICE did not respond to requests for comment on Carlos's allegations. But Luis Angel Reyes Savalza, Carlos's attorney, shared an email in which his firm had asked ICE to conduct an inquiry into the incident. Dana L. Fishburn, then acting deputy field office director in ERO's San Francisco office, responded that she had done so and found no evidence to support Carlos's claims of physical assault. "As you are aware, this is a serious allegation, the safety and welfare of all aliens in custody is of the utmost importance to ICE," Fishburn wrote. "We do not and would not force anyone to sign a document." Neither Carlos nor Reyes Savalza filed a complaint with the ICE Office of Professional Responsibility, the office responsible for handling cases of employee misconduct for the agency. Instead, Reyes Savalza said, Carlos is considering other legal avenues. After Carlos hired an attorney following an alleged assault in October 2017, he formally asserted a fear of returning to Mexico, which entitled him to an interview with an asylum officer. However, since the one-year window has closed, Carlos is now asking for protection from deportation under the United Nations Convention Against Torture. His next court hearing is scheduled for September 2019.

Legal News

Immigrants, Migrants Caught In Middle Of Rural Lawyer Shortage

[St. Louis Public Radio](#) [9/24/2018 8:00 AM, Chad Davis, MO] reports Angie Gomez has seen and heard plenty of stories about how hard it is for unauthorized immigrants and migrant farmworkers in rural areas to find lawyers to help them apply for or change their legal status. Gomez, the family services coordinator for Su Casa Head Start in Cobden, Illinois, emigrated from Mexico in the 1960s and became a naturalized U.S. citizen. She said migrant farmworkers and unauthorized immigrants who are seeking legal representation don't have lawyers readily available in their communities or those lawyers don't speak Spanish. And traveling to larger cities to obtain legal services isn't always feasible for several reasons — it's too costly or might put someone at risk of deportation. Lawyers Association is made up of lawyers and professors who teach and practice immigration. About 100 AILA lawyers have Missouri addresses, but the majority of those lawyers are located in St. Louis and Kansas City, hours away from the southern Missouri and Illinois farms and orchards where immigrants and migrants work. Chicago is about 350 miles from Cobden. St. Louis is less than 120 miles away, making it a more realistic destination for the immigrants and migrant workers who need lawyers. But that's still a long trip for people in southern Missouri and Illinois.

Immigration lawyers have seen an increase in a particular kind of scam affecting people seeking legal services: notario fraud. That occurs when a notary claims to have the same standing and expertise as a lawyer. "In the United States, a notary public is just authorized to notarize your signature," said Jennifer Ibañez Whitlock, a St. Louis-based immigration lawyer and partner at law firm Whitlock and Gray. "In Latin America, a notario publico has the same rights and responsibilities as an attorney does. "And so, I see a lot of times that's sort of the scam, is that somebody gets their notary license, advertises themselves as such in English and some Spanish-speaking immigrants will believe that that person somehow has some sort of legal training when they really don't." Entanglement with a notario intent on fraud can have significant consequences for a person seeking legal status. Notario fraud can even lead to the deportation of immigrants. St. Louis Public Radio asked the Missouri Attorney General's Office for data on how many notario fraud cases exist in Missouri. It

responded that it had "no records responsive to your request." [Editorial note: consult source link for audio]

[MI] Feds Lose Bid To Toss Case Challenging Removal Of Iraqis

[Law 360](#) [9/24/2018 4:45 PM, Kevin Penton] reports a Michigan federal court on Monday rejected the Trump administration's bid to toss a portion of a case filed by Iraqis seeking to avoid deportation and certified a nationwide class of individuals from the Middle Eastern country whom the federal government sought to remove last year. The Eastern District of Michigan denied the administration's motion to dismiss claims that immigrants have a statutory right to immigration courts before they are removed and that the government's bid to deny or impede access violates their due process rights, according to Monday's opinion. The court also certified a class of Iraqis the government sought to deport from March to June 2017, according to the filing. U.S. District Judge Judge Mark A. Goldsmith held that it would be "prudent" for him to wait to rule on whether the Immigration and Nationality Act allows for immigrants to argue in immigration court that they should not be removed to a country where they may be tortured, persecuted or killed. He dismissed the government's bid to toss the due process claim, finding he has already entered an order on a related legal question.

Judge Goldsmith in July 2017 found that nearly 1,400 Iraqi immigrants with prior criminal convictions, who were detained from their homes during immigration sweeps in June 2017 and in many cases were transferred from their home states, should be allowed to remain in the U.S. so they could contest their deportation orders, as speedily shipping them back to Iraq would violate their due process rights. Many of the immigrants had long been on lists for deportation, but Iraq refused to accept them, according to court documents. After the U.S. and Iraq struck a diplomatic deal last year, the deportation gears started to turn. Few of the immigrants had a chance to take action on their cases before U.S. Immigration and Customs Enforcement swept in and detained them, severing their access to legal resources, Judge Goldsmith found. Many of the immigrants are Chaldean Christians, who are known targets of persecution in the region, making them eligible for protection from removal under the Immigration and Nationality Act and the Convention Against Torture as well as the Fifth Amendment's due process clause, their attorneys have argued.

[TX] Former ICE attorney working in Rio Grande Valley to reunite separated families

[McAllen Monitor](#) [9/24/2018 9:00 AM, Molly Smith, 15K, TX] reports that in the midst of packing up her life in boxes and moving halfway across the country, back to the region where she grew up, Laura Pena found time to write an opinion piece published in USA Today under the headline, "Former ICE lawyer switches sides." "I became a lawyer because I believe in the rule of law and fundamental fairness, not to prosecute babies and send them traveling in planes alone," the Harlingen native wrote in the June 27 piece, two months after the family separation crisis began at the U.S.-Mexico border. Pena wrote of her fear that in the wake of the Trump administration's zero-tolerance immigration policy, children would be deported to Central America without their parents, "stranded, vulnerable and at grave risk for human trafficking."

As the Trump administration works to build a physical wall along the nation's southwest border, it has simultaneously leveraged executive orders and policy adjustments to create an invisible wall. Since U.S. Attorney General Jeff Sessions' April 6 announcement that anyone who crosses the border illegally will be prosecuted, the government has ruled that

people fleeing domestic or gang violence do not qualify for asylum and has urged the end of time limits on detaining migrant children. A former assistant chief counsel at U.S. Immigration and Customs Enforcement under the Obama administration, Pena left her job as a business immigration attorney in California in May and has worked as a visiting attorney with the Alamo-based Texas Civil Rights Project since July.

Enforcement News

[CT] Students Rally in Support of New Haven Man Facing Deportation

[Wesleyan Argus](#) [9/24/2018 10:44 PM, William Halliday, 3K, CT] reports the rally was organized in solidarity with the hundreds of students from Wilbur Cross High School, Common Ground High School, Yale University, and Southern Connecticut State University who walked out of class on Thursday morning and marched to the downtown New Haven church in support of Nelson Pinos. Pinos came to the U.S. from Ecuador in 1992 and has lived in Connecticut for almost 20 years. He entered the church last November to avoid deportation and has remained there ever since, waiting for his removal order to be reviewed by the Board of Immigration Appeals in Bloomington, Minn. Attendees of the rally in New Haven demanded that Immigration and Customs Enforcement grant Pinos a stay of removal while his case is being appealed.

[NY] Suspected birth tourism site reportedly at center of New York City stabbing spree

[FOX News](#) [9/24/2018 3:08 PM, Ryan Gaydos] reports that the illegal day care facility where two adults and three babies were injured in a stabbing rampage last week is reportedly suspected to be a "birth tourism" site for Asian women. The New York City residence where Yu Fen Wang, 52, allegedly went on the stabbing spree – before police found her in the basement with a slit wrist – was housing nine babies at the time of the attack, police said. But the mystery about why there were multiple infants at the Queens home at 3:30 a.m. has only grown since news of the assault broke. According to multiple reports, the building was being used to house pregnant Asian women who sought to travel to the U.S. on tourist visas so their babies could be born and gain U.S. citizenship.

Sheng Long Peng, 70, told The New York Times on Friday he often saw the homeowner with groups of pregnant women. Elizabeth Lee, 51, told the newspaper she saw women with suitcases arrive at the building in the Flushing neighborhood at least twice per week. "We think it had something to do with immigration and citizenship," a law enforcement source told The New York Times. "It had something to do with their desire to have the kids as American citizens and it would eventually help the parents." "Ninety percent of them in these centers come from China," a community source told the New York Post, adding the women were recovering after giving birth in New York. "They don't advertise. It's word of mouth." The Queens building was charging women \$4,600 to stay for a month, plus baby supplies, according to the New York Post. An investigator said birth tourism sites had mostly been located in Los Angeles until about 2016. In 2015, federal officials busted 37 California locations that were offering similar accommodations. At that time, Chinese nationals paid up to \$80,000 for the sole purpose of giving birth in the U.S. to obtain citizenship for their children.

[NJ] ICE wanted to deport this N.J. man over an old conviction. He fought back – and won

[Warren Reporter](#) [9/24/2018 1:52 PM, Kelly Heyboer, 965K, NJ] reports that Cloyd Edralin isn't getting deported. After months in a detention center, the green card holder and legal resident from Highland Park won his case in immigration court last week and was released, his family said. Immigration and Customs Enforcement agents had unexpectedly arrested Edralin, 47, in June as he left for his job as a machinist. ICE said it wanted to deport Edralin, who emigrated legally to the U.S. from the Philippines 30 years ago, because he had been pulled over 11 years ago with an air rifle with plastic pellets in his car. He was one of 91 immigrants arrested in Operation Cross Check, a five-day ICE sweep in New Jersey. All of the immigrants arrested, including some legal residents, faced deportation. "Any green card holder who has violated the terms of maintaining a green card, such as breaking the law, can be subject to arrest removal," Emilio Dabul, a spokesman for ICE's Newark office, said at the time.

[AL] Suspected undocumented immigrant arrested for DUI in Mobile

[WPMI](#) [9/24/2018 12:43 PM, Andrea Ramey, 6K, AL] reports that a suspected illegal immigrant was arrested for driving under the influence this weekend. Mobile Police arrested Jose Pascual Saturday afternoon and charged him with DUI. According to jail records U.S. Immigration and Customs Enforcement placed a hold on Pascual, which means ICE will be notified before Pascual is released on the DUI charge.

[FL] Brevard Commission OKs measure to crack down on potential for illegal immigrant workers

[Florida Today](#) [9/24/2018 4:17 PM, Dave Berman, 37K, FL] reports Brevard County commissioners have approved a measure designed to guard against illegal immigrants working on county contracts. Commissioners voted 4-0 to approve a resolution and policy update requiring contractors to be enrolled in the E-Verify program as a condition of doing business with the county, as a way "to ensure compliance with federal immigration laws." Brevard County already had this requirement on contracts that included the use of state and federal money, as required by law, but not when only county money was involved. "Being against E-Verify is being against law-abiding businesses and workers," said County Commissioner John Tobia, who sponsored the resolution.

[MO] Man admits employing more than 10 undocumented immigrants at Desloge restaurant

[St. Louis Post-Dispatch](#) [9/24/2018 12:35 PM, Robert Patrick, 350K, MO] reports an undocumented immigrant from China pleaded guilty to a federal charge Monday and admitted employing more than 10 undocumented immigrants in his Desloge restaurant. Dianrong Jiang, 40, employed the immigrants in the Great Wall of China restaurant, according to testimony in his plea hearing in U.S. District Court. Through a Mandarin translator, Jiang pleaded guilty to a charge of knowingly employing 10 or more undocumented aliens. He is scheduled to be sentenced in January. Jiang's lawyer John Stobbs said Jiang could face 12 to 18 months in prison. He is also an undocumented immigrant from China, Stobbs said, and could face deportation.

Reported similarly: [Park Hills Daily Journal](#) [9/24/2018 5:15 PM, Renee Bronaugh, 9K, MO]

[OH] 100 armed agents and 143 arrests: the ICE raid that traumatized a small Ohio town

[The Guardian](#) [9/25/2018 1:00 AM, Kari Lydersen, UK] reports armed with guns and backed by helicopter air support, more than 100 U.S. immigration agents swooped on the employees of Fresh Mark meat packaging plant on a summer day in the small Ohio town of Salem. The huge raid on June 19 resulted in 146 arrests, most of them Guatemalans suspected of being in the country illegally, in a show-of-force raid that likely brought back violent memories of the militarized country many had fled years ago for new lives in America. U.S. meatpacking workers face new hazard: threat of deportation by ICE. It was one of the biggest raids conducted on a workplace by the US Immigration and Customs Enforcement (ICE) in the past decade, and is part of a rise in such tactics under the Trump administration. Yet three months later, for the residents of Salem on all sides of the immigration debate, it appears to have achieved little except leave visible scars on the community. Many Guatemalan residents have left Salem, and those who remain refuse to speak about the raid with outsiders. Local businesses have suffered, churches and advocates scramble to help immigrants left traumatized and without jobs, and Fresh Mark continues operating, without its full workforce. An ICE spokesman said he could not provide details on what had happened to the 146 people arrested in the raid. Some are believed to still be in detention, while a few have returned to Guatemala through "voluntary departure." But according to advocates and a labor union representative, most had been released from custody pending immigration proceedings, and some have even returned to work at Fresh Mark after filing for asylum, which gives them the right to obtain a work permit while the process proceeds.

[OH] 5 Mauritians in Ohio win temporary halt to deportation

[Columbus Dispatch](#) [9/25/2018 5:59 AM, Danae King, OH] reports thousands of immigrants from a West African nation who fear for their lives if deported back to their homeland now have some hope that they can remain in U.S. cities such as Columbus. The federal Board of Immigration Appeals this month temporarily stopped the deportation of five people from the Islamic Republic of Mauritania who are living in Ohio. The men remain in detention, however, pending decisions about reopening their immigration cases, and federal immigration officials continue to arrest Mauritians and push for their deportation, advocates say. Nationwide, more than 79 Mauritians have been deported this year, and 40 have been detained — half of whom were in Ohio, home to the largest concentration of Mauritians in the U.S., according to Lynn Tramonte, director of the Ohio Immigrant Alliance. Columbus immigration lawyer Julie Nemecek learned about the community's plight and began to work on their cases for free this year. She filed paperwork with Immigration and Customs Enforcement to keep nine Mauritians in Ohio from being deported, but those stays were denied. Media attention drew advocates and other attorneys to help, and emergency stays were filed with the Board of Immigration Appeals, the highest administrative body for interpreting and applying immigration laws. That some of those temporary stays were granted is "huge," Nemecek said.

[OH] Deported Mexican mother of 4 citizens back to pursue asylum

[Washington Post](#) [9/25/2018 5:02 AM, Associated Press] reports a Mexican mother of four U.S. citizens who was deported despite claims of threats by a Mexican drug cartel has returned to the United States. The Cincinnati Enquirer reports a judge last week allowed Maribel Trujillo Diaz to return to the Ohio city of Fairfield after family members paid her \$1,500 bond while she awaits her asylum hearing. Her attorney, Kathleen Kersh, says there

were "tears everywhere" when Trujillo Diaz returned to Ohio for the first time since her April 2017 deportation. An appeals court ordered immigration officials to reconsider the case after finding the U.S. Board of Immigration Appeals shouldn't have rejected her motion to reopen removal proceedings. She can now stay with her U.S.-born children until her hearing scheduled for the summer of 2019.

[WCPO](#) [9/24/2018 9:49 AM, Staff, 102K, OH] reports that according to the law firm Advocates for Basic Legal Equality, Inc. On Monday the law firm, which has an office in Dayton, Ohio, said its client, Maribel Trujillo Diaz, has returned to the United States from Mexico. Trujillo Diaz had been separated from her family for 17 months. She will attend her ongoing immigration hearings in Cleveland, according to her attorneys. Trujillo Diaz is now with her family, according to ABLE attorneys. The firm said the United States government returned the deported Fairfield woman to Ohio for her upcoming proceedings. It is unclear whether she will remain in the U.S., or how long she will stay. In June, immigration officials agreed to reopen Trujillo Diaz's case.

Trujillo Diaz, who arrived in the United States in 2002, became known to authorities during a 2007 raid on Koch Foods. She then applied for asylum, but her application was denied. She was arrested on April 5, 2017. By April 19, she was back in Michoacan, Mexico, where she said her family had been threatened and extorted by gangs. A federal appeals court in Cincinnati ordered immigration officials in January to re-examine Trujillo's case. According to the three-judge panel, the Board of Immigration Appeals had "abused its discretion" and failed to consider the testimony of Trujillo Diaz's father, who said their family and Trujillo Diaz specifically had been targeted by cartels.

[WTOL 11](#) [9/24/2018 10:43 AM, Sarah Hager, 27K, OH] reports that when questioned about the deportation, a public affairs officer with ICE issued a statement saying, "Trujillo has no legal basis to remain in the United States."

Reported similarly:

[Cincinnati Enquirer](#) [9/24/2018 6:07 PM, Mark Curnutte, 79K, OH]

[WLWT](#) [9/24/2018 6:35 PM, Staff, OH]

[WHIO](#) [9/24/2018 3:26 PM, Mike Rutledge, 75K, OH]

[WVXU](#) [9/24/2018 11:08 AM, Tana Weingartner, 8K, OH]

[MI] Hearing Set for Man Seeking Sanctuary in Michigan Church

[U.S. News & World Report](#) [9/24/2018 5:21 PM, Associated Press] reports that a hearing has been scheduled in federal court on the status of an Albanian man seeking sanctuary from deportation in a Detroit church. U.S. District Court records show a Nov. 13 hearing on the government's request to dismiss Ded Rranxburgaj's petition to stop a U.S. Immigration and Customs Enforcement order for removal after his legal status expired. Rranxburgaj has taken refuge since January at Central United Methodist Church. He came to the U.S. with his wife 17 years ago and said he was granted temporary humanitarian status after she was diagnosed with multiple sclerosis more than a decade ago. His wife depends on his care. ICE spokesman Khaalid Walls has said that Rranxburgaj currently is considered a fugitive after not reporting to ICE as instructed.

[WI] Immigration rights group says 34 detained by ICE

[Washington Times](#) [9/24/2018 10:50 AM, Associated Press, DC] reports that an immigration rights group says nearly three dozen people were arrested over the weekend by Immigration and Customs Enforcement officials. Voces de la Frontera said Monday ICE arrested 11 people in the Madison area, 15 people in Arcadia, three people in Milwaukee and five in Green Bay. The group says the arrests came at workplaces, during traffic stops and in homes. Madison Mayor Paul Soglin planned to meet with law enforcement officials and community organizers Monday to get a better idea of the number of people detained by Immigration and Customs Enforcement officials. Madison officials say ICE has detained immigrants without prior communication with the police department. Madison Police Chief Mike Koval says the department has an agreement with ICE to know when and where arrests are made.

[U.S. News & World Report](#) [9/24/2018 10:49 AM, Associated Press] reports that State Rep. Chris Taylor, of Madison, says it's alarming for ICE to be in the community without communicating with local law enforcement.

The [Journal Sentinel](#) [9/24/2018 3:08 PM, Jesse Garza, WI] reports that ICE spokesman Shawn Neudauer did not confirm the claims Monday but said immigration agents conduct "targeted enforcement actions every day in locations around the country as part of the agency's mission to protect public safety, border security and the integrity of the nation's immigration system." "ICE also periodically conducts expanded enforcement actions as operational needs demand. In short, ICE officers make arrests every day," Neudauer said in an email, deferring further comment to a regional ICE official, who did not immediately respond Monday afternoon.

Reported similarly:

[ABC 12 WISN](#) [9/24/2018 12:05 PM, Staff, 55K, WI]

[Wausau Pilot & Review](#) [9/24/2018 11:40 AM, Shereen Siewert, WI]

[WTAQ](#) [9/24/2018 9:36 AM, Staff, 3K, WI]

[WI] Madison law enforcement, local leaders condemn ICE's tactics amid arrests

[Wisconsin State Journal](#) [9/24/2018 7:24 PM, Kelly Meyerhofer, 142K, WI] reports that an "aggressive knock" on the door by men identifying themselves as police led to the arrest of a family breadwinner, who was arrested, handcuffed and led out of his Milwaukee home in his boxers. The men turned out to be federal Immigration and Custom Enforcement agents, who arrested and detained Erick Gambao Chay Friday morning based on a couple of traffic violations, according to his niece, Gissell Vera. Gamboa Chay had previously been stopped for driving without a license, which he didn't obtain because he is an undocumented immigrant. Local law enforcement and elected representatives stood in solidarity with Vera and others affected by the ICE detentions. More than two dozen people across Wisconsin were arrested by ICE in the last week, according to Voces de La Frontera, a Milwaukee-based immigrant-rights group. Last week, Madison police chief Mike Koval said the department has an agreement with ICE to know the location, time, date and charges to be filed when arrests are made – an agreement broken by ICE when agents arrested six people in the Madison area without talking to Madison police beforehand. That number grew over the weekend, spurring leaders Monday to condemn the agency's tactics, such as not clearly identifying themselves as ICE agents.

[TX] DPS: Driver in hit-and-run that killed man outside Kyle arrested

[KXAN](#) [9/24/2018 7:17 PM, Andy Jechow, 167K, TX] reports that a driver has been arrested for leaving the scene after allegedly hitting and killing a man near Kyle this past weekend, according to the Texas Department of Public Safety. Tony Alberto Ponce-Zamora, 22, of Kyle, was found by investigators and admitted to driving at the time of the crash and leaving the scene, according to DPS. Ponce-Zamora told investigators a deputy arrived shortly after the crash happened and he didn't tell the deputy about the person he hit, DPS said. Investigators say, due to Ponce-Zamora withholding information about the crash, the victim was not given medical attention and died on the side of the road due to his injuries. Records show Ponce-Zamora is currently being held in the Hays County Jail on a charge of failure to stop and render aid resulting in death and an Immigration and Customs Enforcement detainer.

Reported similarly: [Statesman](#) [9/23/2018 8:00 PM, Katie Hall, 145K, TX]

[Mexico] A military family, divided: After deportation, a Marine veteran's wife searches for a future

[Stars and Stripes](#) [9/24/2018 10:28 AM, Dianna Cahn, 146K] reports that Alejandra Juarez lies in bed at night and waits for sleep, listening to the monotonous whisper of the air conditioner and cuddling her 9-year-old, Estela, who has rejected her own bed in her new unfamiliar world. Now she is 2,560 miles by car from her 16-year old daughter and husband in Davenport, Fla. Alejandra, 39, was deported Aug. 3, leaving behind her home of 22 years, where she and her Iraq War veteran husband, Cuauhtemoc or "Temo," had two American children and planted roots. Now, they are a family divided. She took Estela with her to Mexico, while Pamela, who is closest to her mother, stayed back with her father so he wouldn't be left alone. He needs to continue to work and try to earn enough to support not one household but two.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Wednesday, Sept. 26, 2018

Executive Office for Immigration Review

Autocracy of Sessions will weaken the independence of immigration judges 2

Policy and Legislative News

Prosecuting Parents – And Separating Families – Was Meant to Deter Migration, Signed Memo Confirms 2

Trump Administration to Transfer Health Funds to Child Detention Centers..... 3

Trump administration wants to deny immigrants entry to the U.S., if they use public benefits 3

Judge asks if 'America First' is code for racial hostility 4

Legal News

Trump's Bid To End Immigrant Protections Illegal, Judge Told..... 4

How Catholic Communities Are Crowdfunding Fairer Trials for Immigrants..... 5

[NH] ACLU-NH files lawsuit against Exeter PD over immigration enforcement..... 6

[VA] Zhao case raises questions about difficulties immigrants face 6

[CA] Feds Fire Back At Immigrant Detainees' Class Cert. Bid 7

Enforcement News

The Alternative To Immigrant Detention Everyone Should Know About..... 7

[MA] The Latest: Fishing crew member released over ICE objections 8

[NY] ICE Places Detainer On Hackensack Day Laborer Charged With Sexually Assaulting Youngster 9

[FL] Sick Honduran woman fights deportation, with help of Daytona Beach doctors, immigration lawyer..... 9

[MS] China Buffet II owners plead guilty in immigration case 9

[OH] Maribel Trujillo-Diaz at church service: 'How did I spend the long months away? In prayer.' 9

[MI] Hearing set for 'fugitive' immigrant in hiding at Detroit church 10

[IL] Woman held by feds accused of sexual assaulting another ICE detainee in McHenry County Jail 10

[WI] ICE says 83 arrested in state immigration raids..... 11

[WI] ICE detains father preparing for his children's baptisms in Wisconsin raids	11
[IA] Illegal Immigrant Sentenced for Using False ID to Apply for Local Jobs	12
[TX] Laredo Border Patrol agents capture 114 immigrants over five-hour period	13
[ID] Community support helps delay Hailey man's deportation	13

[AZ] Previously Deported Rapist Arrested for Illegal Re-Entry in Arizona	13
[CA] Suspect Arrested in Bludgeoning of Seven California Men, 3 of Them Fatal	13
[CA] Man suspected of killing California homeless men with a baseball bat was deported six times, police say	14

Executive Office for Immigration Review

Autocracy of Sessions will weaken the independence of immigration judges

[Al Dia News](#) [9/25/2018 12:14 PM, Yamily Habib, 4.7K] reports the Department of Justice under the Trump administration, represented by Attorney General Jeff Sessions, has unequivocally determined that sympathy for immigrants in the United States is over. During the past week, Sessions not only welcomed 44 new judges into the Executive Office for Immigration Review (EOIR) but announced that, under his watch, these new judges will have "new limits on the ability to terminate deportation cases," according to Reuters, a decision that "will facilitate the removal of immigrants who are in the country illegally." The attorney general has then decided to use his power to "rewrite opinions issued by the Board of Immigration Appeals" determining that "judges can only terminate or dismiss cases in specific and circumscribed circumstances." According to the new decision, "the judges have no inherent authority to terminate removal proceedings, even though a particular case may pose sympathetic circumstances," the report continues. In this way, immigration judges can only suspend deportation in cases in which the government cannot prove its argument, if it requests a dismissal, or if it decides to "allow an immigrant time for a final hearing on a pending petition for naturalization when the matter involves 'exceptionally appealing or humanitarian factors.'"

Policy and Legislative News

Prosecuting Parents – And Separating Families – Was Meant to Deter Migration, Signed Memo Confirms

[The Intercept](#) [9/25/2018 8:00 AM, Cora Currier, 441K] reports that on April 23, the heads of the three major immigration agencies wrote to their boss, Secretary of Homeland Security Kirstjen Nielsen, to present her with three options for how to step up immigration enforcement at the border. They recommended "Option 3" – prosecuting every adult who crossed the border illegally, including those who came with their children – because it would "have the greatest impact on current flows." In other words, top immigration officials believed that prosecuting parents, even if it meant separating families, would deter migration. Following their recommendation, Nielsen signed off on "Option 3," authorizing one of the darkest dramas in the Trump administration's attempt to remake the U.S. immigration system, resulting in thousands of families ripped apart, hundreds of parents deported alone, and children scattered in shelters across the country.

Despite the fact that the memo makes clear that "Option 3" would involve family separation, Nielsen for months maintained publicly that "this administration did not create a policy of separating families at the border" and avoided saying that the goal of the newly aggressive prosecutions was deterrence. The memo and other communications on family separation were released in redacted form through a Freedom of Information Act request brought by the watchdog groups Open the Government and Project on Government Oversight and were shared with The Intercept; the groups also obtained an unredacted copy of the memo, which, at the request of their sources, is not being published. It appears to be the same document reported on, but not published, by the Washington Post in April, before Nielsen added her signature. The heads of U.S. Citizenship and Immigration Services, Customs and Border Protection, and Immigration and Customs Enforcement landed on the recommendation to prosecute adults with children, too, because it "would likely have the most effective impact" and be "the most effective method" of achieving the "Administration's goal of ending 'catch and release,'" the memo said, deploying the term used by critics of the long-standing policy of allowing individuals, typically mothers and their children, to be released on bond while awaiting their immigration hearings.

[BuzzFeed](#) [9/25/2018 6:10 PM, Adolfo Flores, 11771K] reports that the administration's "zero tolerance" policy, which sought to prosecute every adult caught crossing the border illegally, resulted in thousands of families being separated, with some parents being deported without their children. "DHS could also permissibly direct the separation of parents or legal guardians and minors held in immigration detention so that the parent or legal guardian can be prosecuted," the memo said.

Trump Administration to Transfer Health Funds to Child Detention Centers

[Legal Reader](#) [9/25/2018 8:24 AM, Ryan J. Farrick] reports that the Trump administration plans to reallocate more than a quarter-billion dollars in funds from government programs to child detention centers. The plan, outlined in a letter from Health and Human Services Secretary Alex Azar, cuts refugee support programs by nearly \$80 million. An additional \$180 million, reports The Hill, will be taken out of healthcare funds and used to enhance facilities used to hold young migrants. Of the \$180 million originally earmarked for health spending, an estimated \$13 million is being ripped from the National Cancer institute. Some \$5.7 million is being deducted from the Ryan White HIV/AIDS program, and millions more from 'programs within the National Institutes of Health' and 'the centers for Disease Control and Prevention.' A recent report from the New York Times indicates that the number of immigrant children detained in and by the United States has skyrocketed under the Trump administration. Just over a year ago, in May of 2017, about 2,400 children were held at immigration facilities. By the beginning of September 2018, that figure had risen to a record-high 13,000. The massive boost in detention rates has prompted some Democratic senators to request additional funds for the Unaccompanied Alien Children program. They say any increased cost is a consequence of the White House's 'zero-tolerance' approach to immigration, which recently led to thousands of families being separated along the U.S.-Mexico border.

Trump administration wants to deny immigrants entry to the U.S., if they use public benefits

[USA Today](#) [9/25/2018 2:43 PM, Lorella Praeli, 8110K] reports that the Trump administration announced over the weekend that it plans to deny green cards to immigrants

if they use public benefits to which they are entitled such as food assistance, children's health insurance or housing vouchers – purportedly to stop them from becoming "burdens on American taxpayers." In essence, this is the U.S. government punishing U.S. citizen children and low-income families. Immigrants who work minimum-wage jobs would be forced to decide between their continued legal status and their child's health and nutrition. This is nothing more than a blatant strategy to gin up President Donald Trump's base for the midterm elections. It is part of his agenda to ban immigrants and refugees from entering the country and to make it so difficult to live here that they self-deport. It has torn children away from their parents at the border. It has unleashed Immigration and Customs Enforcement in workplaces across the country.

[CNN](#) [9/25/2018 1:17 PM, Tami Luhby and Tal Kopan] reports that the administration says the proposed revamp of the so-called public charge rule is designed to ensure immigrants can support themselves financially. "This proposed rule will implement a law passed by Congress intended to promote immigrant self-sufficiency and protect finite resources by ensuring that they are not likely to become burdens on American taxpayers," Department of Homeland Security Secretary Kirstjen Nielsen said Saturday. But immigration advocates say it goes far beyond what Congress intended and will discriminate against those from poorer countries, keep families apart and prompt legal residents to forgo needed public aid, which could also impact their US citizen children. They also say it will penalize even hard-working immigrants who only need a small bit of temporary assistance from the government.

Judge asks if 'America First' is code for racial hostility

[Bloomberg](#) [9/25/2018 12:27 PM, Kartikay Mehrotra] reports that U.S. District Judge Edward Chen heard arguments for more than two hours over whether he should block the Trump administration from overturning portions of a George H.W. Bush-era humanitarian policy that offers U.S. residency to nationals from countries in perilous conditions. At stake are protections for about 300,000 people from El Salvador, Honduras, Nicaragua and Sudan who could be deported en masse if those countries' Temporary Protected Status is scrapped by the Department of Homeland Security. While Chen didn't make a decision at the end of the hearing, he did flag a memo written by former DHS Deputy Secretary Elaine Duke. In it, she posited that TPS "must end for these countries soon" in order for U.S. immigration policy to be compliant with Trump's "America first" agenda. Chen asked a Justice Department attorney at the hearing if the phrase was code for Trump's racial animus, referring to a January Twitter rant in which the president dubbed the African continent and Haiti "shithole countries." "The inference plaintiffs make is that this is code for ending immigration status for those who are non-white. What do you make of that?" Chen asked. Adam Kirschner, the lawyer for the U.S., responded by pointing out that the TPS rescission policy came from Duke and her former boss, John Kelly, neither of whom are accused of racial discrimination.

Legal News

Trump's Bid To End Immigrant Protections Illegal, Judge Told

[Law 360](#) [9/25/2018 7:41 PM, Cara Bayles] reports a putative class of immigrant families asked a California federal judge Tuesday to force the government to preserve the temporary protected status for more than 200,000 individuals, saying the Trump administration's about-face in determining how that status was determined was

unconstitutional and violated the Administrative Procedure Act. U.S. District Judge Edward Chen didn't say how he would rule during the two-and-a-half-hour hearing in San Francisco on the proposed class' motion for a preliminary injunction, which sought to preserve the protective status for immigrants from El Salvador, Haiti, Nicaragua and Sudan while the litigation is pending. But the judge had tough questions for both sides about whether the Trump administration's plan to end the TPS designations amounted to a change in policy. Judge Chen asked Emilou MacLean of the National Day Laborer Organizing Network how the 263,000 individuals affected by the revocation had relied on the U.S. Department of Homeland Security to maintain their protected status. "What would be the reliance here? It's not that they would never revoke status — by its nature, TPS is temporary," he said. But the judge also challenged U.S. Department of Justice attorney Adam Kirschner, who argued there was no racial animus behind the revocations, noting that in a memo, the Homeland Security secretary had referred to "being consistent with the America First policy."

How Catholic Communities Are Crowdfunding Fairer Trials for Immigrants

[Pacific Standard](#) [9/25/2018 9:26 PM, Massoud Hayoun, CA] reports undocumented immigrants have found a familiar ally in their battle against a severe judicial system: the Catholic Church. After widespread attention to the government's separation of immigrant families at the border sounded a call to arms — or alms — for many church members, Catholic communities across the United States are collecting the legal fees for undocumented immigrants facing a legal framework that many believe is poised to work against them. The church has long administered legal and other assistance to undocumented immigrants facing unprecedented challenges under the Trump administration. What's happening of late, Catholic immigrant rights advocates say, is a swelling of support among churchgoers, eager to help immigrants get the fair trial they are guaranteed by the Constitution at a moment when advocates say the administration is pressuring immigration judges to expedite hundreds of deportations a year, with little apparent concern for resounding concerns over due process. And the result is an apparent success of fundraising, likely owing to the church's people power as the largest religious institution in the country. Catholic Charities, a non-profit organization that works through a nationwide network to administer aid to those in need. Catholic Charities of Oregon has secured \$500,000 from the Portland City Council and another \$500,000 from the surrounding Multnomah County government to help undocumented immigrants with legal fees, Fox News reported Friday.

The Trump administration has enacted several measures ostensibly aimed at slashing the country's growing backlog of immigration court cases that analysts say have jeopardized immigrants' constitutionally guaranteed rights to due process. Among these measures was a decision in April mandating that immigration judges had to close 700 cases per year with a low rate of appeal in order to receive a satisfactory performance review. In May, Attorney General Jeff Sessions ruled to stop judge's use of administrative closures, in which judges refrain from ruling on an immigration case while the defendant makes formal applications for U.S. immigration status. Last week, Sessions ruled again to restrict judges' ability to stop deportation proceedings. The sum of the gestures, analysts say, has been to essentially prevent judges from doing much beyond swiftly deporting hundreds of immigrants a year. Advocates on behalf of the judges have called to remove the immigration courts from the Department of Justice's supervision. The odds are stacked against immigrants facing legal proceedings, not just because judges are facing pressures to deport. Gauto says that a great many immigrants have no legal representation, particularly those who have been detained by immigration authorities at facilities far from New York and L.A. where pro-bono

attorneys could more easily gain access to clients in need. At the Otay Mesa Detention center in San Diego, as many as 80 percent of detainees have no legal representation, a senior staff attorney at the American Bar Association's Immigration Justice Project, Monika Langarica, told the San Diego Union-Tribune earlier this month.

[NH] ACLU-NH files lawsuit against Exeter PD over immigration enforcement

[WMUR New Hampshire](#) [9/25/2018 6:27 PM, Mike Cronin, 120K, NH] reports that the American Civil Liberties Union of New Hampshire filed a lawsuit Tuesday against the Exeter Police Department alleging "unlawful" immigration enforcement practices. At issue in the suit is a case from Aug. 10. According to the ACLU-NH, Bashar Awawdeh, an immigrant from Jordan, was unlawfully taken into custody by Exeter police after he helped officers with an investigation. Awawdeh served as a translator while police questioned and arrested a simple assault suspect, according to the organization. The ACLU-NH said Exeter police arrested Awawdeh on suspicion that he was an undocumented immigrant and held him for 90 minutes until an Immigration and Customs Enforcement agent arrived to take him into custody. Awawdeh was detained for 26 days until he was released on bond, according to the ACLU-NH.

The Exeter Police Department released a statement about the lawsuit. "The Exeter Police Department and its dedicated police officers are committed to protecting the legal rights afforded by the United States and State of New Hampshire, while also enforcing all laws in a fair, impartial and lawful manner ... The lawsuit filed this morning in the federal court is being reviewed by legal counsel. Our attorneys will respond to the lawsuit in due course. We do not intend to litigate this matter in the press. At this time, we have nothing further to add."

[Law 360](#) [9/25/2018 9:26 PM, Nicole Narea] reports that according to the complaint, Awawdeh had visited the U.S. in May 2017 on a six-month tourist visa and married an American woman the following June. His visa had expired, but he intended to pursue legal status on the basis of his marriage. Awawdeh was working at a gas station convenience store when his co-worker, also Jordanian, was accused of inappropriately kissing and hugging a female customer. As police investigated the incident, Awawdeh provided translation for his co-worker to help the police interview him and eventually arrest him as a suspect. Police then arrested and detained Awawdeh believing him to be an unauthorized immigrant, holding him in detention for U.S. Immigration and Customs Enforcement to take over his case. Awawdeh was eventually released from custody on bond earlier this month after an immigration judge found that he was not a "danger or flight risk."

Reported similarly:

[Washington Post](#) [9/25/2018 11:51 AM, AP, Michael Casey]

[New Hampshire Union Leader](#) [9/25/2018 3:13 PM, Mark Hayward, 51K, NH]

[VA] Zhao case raises questions about difficulties immigrants face

[WSLS 10-TV](#) [9/25/2018 6:21 PM, Tommy Lopez, 28K, VA] reports that the case of former Virginia Tech student Yunsong Zhao is raising questions about the difficulties immigrants face in America. A Montgomery County judge dismissed a felony gun charge Monday against the 20-year-old but he remains in the custody of U.S. Immigration and Customs Enforcement. 10 News spoke with immigration attorney Jennifer Dean Tuesday about how difficult it is for legal immigrants to navigate the justice system. She said it's frustrating that

ICE has the ability to take immigrants into custody when they're accused of a crime, before there's been a ruling. "Just because you're found not guilty, just because a charge is dismissed, does not mean you're free from immigration consequences," she said. "The burden is on the individual to prove their eligibility and their innocence."

[CA] Feds Fire Back At Immigrant Detainees' Class Cert. Bid

[Law 360](#) [9/25/2018 6:40 PM, Suzanne Monyak] reports the government asked a California federal court to block the American Civil Liberties Union and other advocacy groups' bid to certify a class of immigrant detainees alleging they were mistreated while held at a federal correctional facility, telling the court that all the detainees have been transferred out of the prison. The U.S. Department of Homeland Security on Monday urged the court to not certify the proposed class of immigrant detainees and to dismiss the suit entirely. The government argued that the detainees' claims that the department restricted their due process and free speech rights at the Victorville, California, prison are now moot since the detainees have all been moved to an immigrant detention center. The ACLU, along with Prison Law Office, the Civil Rights Education and Enforcement Center and attorneys with Meyers Nave Riback Silver & Wilson, filed the proposed class action against the government in August. The suit alleged that since June, U.S. Immigration and Customs Enforcement has transferred more than 1,000 civil immigration detainees to a medium-security facility in Victorville, designed to house individuals convicted of crimes. The complaint claimed the Trump administration's "zero-tolerance" policy of prosecuting all unauthorized border crossers has "manufactured a 'crisis' of insufficient bed space to detain immigrants" and forced the government to transfer civil immigration detainees to secure facilities like the one in Victorville, which remains severely understaffed.

Enforcement News

The Alternative To Immigrant Detention Everyone Should Know About

[Forbes](#) [9/25/2018 9:00 AM, Staff] reports the forced separations of parents and children at the border escalated dramatically this summer. But is this practice entirely new? No, says Christina Fialho, a Los Angeles based lawyer and social entrepreneur. In 2010, she co-founded Freedom for Immigrants, a leading organization in the effort to reunite families and pilot community-based alternatives to the current U.S. immigration detention system. Ashoka's Michael Zakaras caught up with Fialho to learn more.

Michael Zakaras: Immigration detention is getting a lot of news coverage right now. But what don't people know that they should?

Christina Fialho: That's a great question. Many people don't realize how many individuals and families are caught up in our immigrant prison and jail system and how costly it is in its current form. People also may not know that promising community-based alternatives to this system have been piloted before, as early as the late 1990s, and they are ready to be adopted and incorporated into state and national policy. It's also important to note that about 70 percent of people in U.S. Immigration and Customs Enforcement (I.C.E.) custody are locked up in private, for-profit prisons.

Zakaras: How many people are held in detention on a given day?

Fialho: At least 40,000 people -- children and adults -- are held in U.S. immigration

detention every day. Right now, there are over 200 county jails and for-profit prisons that contract with I.C.E. to detain immigrants. Because immigration detention is technically a civil form of confinement, those who are detained don't have even the safeguards of the criminal justice system, including a right to a court-appointed attorney, free phone call, and access to a speedy trial. So, people languish in immigration detention for months or even years.

[MA] The Latest: Fishing crew member released over ICE objections

[Washington Post](#) [9/25/2018 2:21 PM, Associated Press] reports that federal immigration officials say the Mexican national charged with killing a fellow crew member on a fishing vessel was released on bond after he was charged in Virginia with forcible abduction. Franklin Freddy Meave Vasquez faces a murder charge following the fight Sunday aboard the fishing vessel Captain Billy Haver about 55 miles off Nantucket, Massachusetts. U.S. Immigration and Customs Enforcement says Vazquez is in the U.S. illegally. He had been arrested in Newport News, Virginia, in March on the abduction charge. An ICE spokesman says an immigration judge had granted Vazquez bond despite ICE objections and he was released from custody.

[CNN](#) [9/25/2018 1:58 PM, Susannah Cullinane and Christine Sever, 28810K] reports that Vazquez was one of seven crew members sailing Sunday aboard the Captain Billy Haver, a fishing vessel about 55 miles east of Massachusetts, according to an affidavit filed by a special agent in the U.S. Coast Guard. According to the affidavit, a crew member said he heard yelling coming from the boat's deck and ran to investigate. He was struck in the back of the head three times and fell down. The crew member said he looked up to see Vazquez with a knife in one hand and a hammer in another, the affidavit said. Another crew member was lying on the deck, just feet away, with blood coming out of his mouth, the crew member said. Still holding the knife and hammer, Vazquez then allegedly struck a third crew member with a hammer before climbing up the ship's mast to escape other crewmen who tried to capture him, according to the U.S. attorney's office. He later threw the knife to the deck. A German cruise ship, the Mein Schiff 6, responded to a distress call from the fishing boat's captain, the affidavit said. Court documents indicate that Vazquez was in the United States illegally, according to court documents and the U.S. Immigration and Customs Enforcement. In March, Vazquez was arrested in Newport News, Virginia, and accused of abduction by force, intimidation or deception, according to the affidavit. He was released on bond. On April 2, he was placed in immigration proceedings but released from ICE custody April 23, the affidavit said.

ICE released a statement saying its agents "encountered" Meave Vazquez at the Norfolk City Jail in March 2018 and took him into custody upon his release. "Despite ICE's objections, an immigration judge granted (Meave Vazquez) bond. ICE had to release him from custody April 27 after he posted bond," said the statement from ICE spokesman John Mohan. If convicted, Vazquez faces up to life in prison for the murder charge and up to 20 years in prison for attempted murder. Lelling's office said Vazquez would be subject to deportation proceedings after completing any sentence imposed.

Reported similarly:

[FOX News](#) [9/25/2018 9:21 AM, Travis Fedschun, 11653K]

[ABC News](#) [9/25/2018 6:56 AM, Staff, 3178K]

[NBC News](#) [9/25/2018 9:34 AM, Staff, 304K]

[Breitbart](#) [9/25/2018 9:33 PM, Katherine Rodriguez, 2213K]

[Boston Globe](#) [9/25/2018 4:50 PM, Arianna MacNeill, 673K, MA]

[Boston Globe](#) [9/25/2018 11:52 AM, Travis Andersen, 854K, MA]

[Cape Cod Today](#) [9/25/2018 12:53 PM, Staff, 7K, MA]

[WBSM-AM](#) [9/25/2018 8:00 AM, Taylor Cormier, 4K, MA]

[New York Daily News](#) [9/25/2018 9:55 AM, Jessica Schladebeck, 1842K, NY]

[NY] ICE Places Detainer On Hackensack Day Laborer Charged With Sexually Assaulting Youngster

[Garfield-Lodi Daily Voice](#) [9/25/2018 1:11 PM, Jerry DeMarco, NY] reports that a day laborer living in Hackensack was charged with having sex with a young teen. U.S. Immigration and Customs Enforcement has placed a detainer on Hugo Rémache, a 41-year-old Ecuadoran national, prohibiting a judge from releasing him and calling his immigration status into question. Rémache was taken into custody by Hackensack police on Friday following a call for assistance, Acting Bergen County Prosecutor Dennis Calo said. He "had engaged in sexual activity with a juvenile under the age of sixteen," Calo said Tuesday, following an investigation by city police and his Special Victims Unit.

[FL] Sick Honduran woman fights deportation, with help of Daytona Beach doctors, immigration lawyer

[Daytona Beach News Journal](#) [9/25/2018 4:49 PM, Seth Robbins, 36K, FL] reports that Doris Fuentes was facing the prospect of being immediately deported after having lived in the U.S. illegally for some two decades. Her immigration attorney, Diego Handel, argued against her removal, telling immigration officials that she was suffering from kidney disease, and that two of her doctors reported her deportation to Honduras would be akin to a "death sentence." On April 2, Handel went with Fuentes to the ICE office, where he filed a stay of removal, asking that Fuentes not be deported because of her health issues. Eventually, Fuentes' medical records were sent to a unit in Virginia, after which the officer-in-charge said she could leave. Handel said one of the officers also left him with a warning: "We are going to take her in 90 days, forget her medical problems, we are taking her." As Fuentes' next check-in date approached, Handel found all his efforts coming up empty. A week before her appointment, Handel made one last-ditch effort. He prepared an emergency petition, asking a federal judge to block Fuentes' deportation. According to the court documents, ICE ultimately granted Fuentes another year in the country while the application for her stay of removal was processed. "Thankfully, we were successful," Handel said.

[MS] China Buffet II owners plead guilty in immigration case

[Meridian Star](#) [9/25/2018 1:17 PM, Bill Graham, MS] reports a father and son accused of harboring undocumented workers at their Meridian restaurant entered guilty pleas in federal court on Tuesday. China Buffet II owners Cheng Lin, 36, and his father, Guo Guang Lin, 61, pleaded guilty before U.S. District Court Senior Judge David M. Bramlette III, announced U.S. Attorney Mike Hurst, Homeland Security Investigations Special Agent in Charge Jere T. Miles and U.S. Department of Labor Office of Inspector General Special Agent in Charge Rafiq Ahmad. Lin's China Buffett of Meridian, Inc. d/b/a/ China Buffet II also pleaded guilty to harboring undocumented workers and agreed to two years probation and an immigration compliance program, in addition to forfeiture and a \$200,000 fine.

Reported similarly: [Washington Times](#) [9/25/2018 12:38 PM, Associated Press, DC]

[OH] Maribel Trujillo-Diaz at church service: 'How did I spend the long months away? In prayer.'

[Cincinnati Enquirer](#) [9/26/2018 6:30 AM, Mark Curnutte, OH] reports on Sunday morning, to the surprise of her friends and fellow parishioners at St. Julie Billiart Catholic Church, Maribel Trujillo-Diaz and her family walked in a few minutes before the start of Mass. Women shrieked her name. "'Maribel!' 'Maribel!' " the Rev. Mike Pucke recalled Tuesday night. Tears flowed Sunday morning. The pain and frustration of 17 months since Trujillo-Diaz had been deported to her native Mexico melted in the warmth of tight hugs and prayers of thanksgiving for her deliverance. The mother of four U.S.-born children, ages 5 to 16, had been allowed by U.S. Immigration and Customs Enforcement to come back to her home in Fairfield. Trujillo-Diaz's asylum case has been reopened. She returned to the United States on Sept. 10. In January, a three-judge panel of the Sixth Circuit Court of Appeals ruled that the U.S. Board of Immigration Appeals should not have rejected the motion filed to stop her removal. In May, her removal proceedings were reopened. The basis of the court's decision and order in the Trujillo-Diaz case is new testimony about threats made by a major Mexican drug cartel to her father about her and her family. An immigration judge in Cleveland last week set her next hearing for summer 2019. The process, one of her lawyers said Tuesday night, could "take years before a judge decides." [Editorial note: consult source link for video]

[MI] Hearing set for 'fugitive' immigrant in hiding at Detroit church

[MLive](#) [9/25/2018 12:40 PM, Dana Afana, 638K, MI] reports that a federal motion hearing is set for an Albanian man seeking sanctuary from deportation while living in a Detroit church. Ded Rranxburgaj, a husband and father of two sons, began living in Central United Methodist Church this past January after receiving deportation orders from Immigration and Customs Enforcement. Due to his decision to hide from immigration officials in the church, ICE considers Rranxburgaj a "fugitive" but the agency has a policy against entering places of worship unless "exigent circumstances exist." Because of this, the deportation order hasn't been enforced. A public motion hearing on the government's request for dismissal of Rranxburgaj's claims is set for 2:30 p.m. Nov. 13. Rranxburgaj, who has no criminal record, sought asylum when he traveled to the U.S. 17 years ago. He was denied asylum by an immigration judge in 2006. The Board of Immigration Appeals rejected his appeal of that decision in 2009, according to ICE.

[IL] Woman held by feds accused of sexual assaulting another ICE detainee in McHenry County Jail

[Chicago Tribune](#) [9/25/2018 4:45 PM, Robert McCoppin and Amanda Marrazzo, 1740K, IL] reports that a woman in custody of immigration authorities has been accused of sexually assaulting another detainee at the McHenry County Jail, according to authorities and court documents. Mayra Rodriguez-Tapia, 31, of Glendale Heights, was charged with criminal sexual assault by use of "threat of force" against another woman being held by Immigration and Customs Enforcement authorities, according to the McHenry County criminal complaint. At a brief hearing Monday, Rodriguez-Tapia's attorney, Assistant Public Defender Grant Tucker, said she strongly denies the charge. McHenry County authorities filed the felony sexual assault charge on Sept. 1, alleging the illegal act included penetration and occurred between Aug. 6 and 29. An official from McHenry County Sheriff's office, which has a contract with federal authorities to house ICE detainees, said the sexual assault complaint was filed under the Prison Rape Elimination Act but did not provide further details. The sheriff's office "takes every report of sexual misconduct seriously and will thoroughly, promptly, and objectively investigate all allegations," according to a statement on the department website, which adds the agency has "zero tolerance for sexual abuse or assault

of detainees/inmates." Rodriguez-Tapia is a native of Mexico and is not a United States citizen. According to federal court documents, she has resided in the U.S. for most of the last 14 years, but was accused of unlawfully re-entering the U.S. "without inspection" in 2012. She's been in ICE custody since April 2017 and later that month was ordered for removal to Mexico, reinstating an order from 2012, the records indicate. Tucker said Rodriguez-Tapia stated in court at an earlier hearing that she had won a judgment in federal immigration court deferring her deportation, though he couldn't confirm that.

[WI] ICE says 83 arrested in state immigration raids

[Milwaukee Journal Sentinel](#) [9/25/2018 6:15 PM, Jesse Garza, 164K, WI] reports that a total of 83 people were arrested in immigration raids in 14 counties in Wisconsin from Friday through Monday, the Immigration and Customs Enforcement agency said Tuesday. Fifteen of the arrests took place in Milwaukee County, according to a news release. More than half of those arrested had criminal histories. It is considered a felony if an individual re-enters the U.S. illegally after being deported, which accounts for 21 of those arrested, according to a news release. An additional 16 had no criminal histories, the agency said. The agency has not responded to claims by Madison Mayor Paul Soglin and Dane County Sheriff David Mahoney that immigration agents falsely identified themselves as "police" during the raids and that local law enforcement agencies were not notified in advance of the raids, creating a public safety risk.

Reported similarly:

[FOX 11 News](#) [9/25/2018 7:51 PM, Ben Krumholz, WI]

[NBC 26](#) [9/25/2018 6:36 PM, WISC-TV, 7K, WI]

[WI] ICE detains father preparing for his children's baptisms in Wisconsin raids

[ThinkProgress](#) [9/25/2018 12:02 PM, Rebekah Entralgo, 799K, DC] reports that immigrant communities across 14 counties in Wisconsin were left reeling after roughly 34 undocumented individuals were swept up in what appeared to be seemingly random raids conducted by Immigration and Customs Enforcement agents. Wisconsin-based immigrant advocacy group Voces de la Frontera said Monday that over the weekend, ICE arrested 11 people in the Madison area, 15 people in Arcadia, three people in Milwaukee and six in Green Bay. While ICE did not comment on the details of who was arrested and what charges they face, the agency says those arrested "pose a threat to national security, public safety and border security."

[WJFW](#) [9/25/2018 7:37 AM, Staff, WI] reports that Madison Mayor Paul Soglin met with law enforcement officials and community organizers to get a better idea of the number of people detained by Immigration and Customs Enforcement officials. [Editorial note: consult source link for video]

The [Capital Times](#) [9/25/2018 12:38 PM, Abigail Becker, WI] reports that Erick Gambao Chay, a father of three children under the age of 10, was one of approximately 11 individuals known to be detained by ICE agents in the Madison area starting Friday, according to Voces de la Frontera. In some cases, ICE agents "falsely identified themselves as police," they said. Mayor Paul Soglin said the tactic is a lie used by ICE to "create confusion and worsen an already bad situation." "We are going to continue to protest the use of police in regards to ICE's activities," Soglin said. "They are not police. They are federal agents who are using their authority to come into a local situation." Soglin said the

city's priority is to identify the individuals who have been detained and get them access to legal services. He also requested a meeting with mayors from across the nation and ICE officials to discuss the lack of communication with local agencies. "We do not need you making your determination that someone who may have some traffic violations, someone who may only be undocumented or have some other minor offenses is someone who is of danger to our community," Soglin said, directing his comments to the federal agency.

Madison Police Chief Mike Koval and Dane County Sheriff Dave Mahoney have reiterated their commitment to the Madison and Dane County community and not to enforcing immigration law. Koval said Friday that he was not informed that ICE would be in the area even though the MPD has a standing agreement with the agency to be notified when agents will be in the community. Koval has reiterated that enforcement of immigration laws remains primarily with the federal government.

The [La Crosse Tribune](#) [9/25/2018 10:15 AM, Eric Lindquist, 28K, WI] reports that ICE officers are out in communities every day conducting targeted arrests, Midwestern ICE spokeswoman Nicole Alberico said in an email. "ICE continues to focus its enforcement resources on individuals who pose a threat to national security, public safety and border security. ICE conducts targeted immigration enforcement in compliance with federal law and agency policy," Alberico said. "While looking for those specific individuals, ICE officers sometimes encounter others who are also in violation of U.S. immigration laws. However, as leadership has made clear, ICE does not exempt classes or categories of removable aliens from potential enforcement. All of those in violation of U.S. immigration laws may be subject to immigration arrest, detention and, if found removable by final order, removal from the United States."

Alberico said ICE agents are police officers and "any suggestion to the contrary is both ridiculous and dangerous." "As a standard practice, ICE agents and officers identify themselves as 'police' during an encounter because it is the universally recognized term for law enforcement and our personnel routinely interact with individuals from around the world," Alberico said. "In the often dangerous law enforcement arena, being able to immediately identify yourself as law enforcement may be a life-or-death issue." Agents' uniforms and jackets also display "ICE" to indicate the specific law enforcement agency being represented, she added.

Reported similarly:

[Capital Times](#) [9/25/2018 3:13 PM, Chris Rickert, 142K, WI]

[WBAY Green Bay](#) [9/25/2018 11:45 AM, Staff, 31K, WI]

[WSAW](#) [9/25/2018 9:48 AM, John DesRivieres, 19K, WI]

[Urban Milwaukee](#) [9/25/2018 11:01 AM, Phoebe Petrovic, 17K, WI]

[Green Bay Press-Gazette](#) [9/25/2018 5:01 PM, Samantha Hernandez, 13K, WI]

[WTAQ](#) [9/25/2018 1:31 PM, Robert Kennedy, 3K, WI]

[IA] Illegal Immigrant Sentenced for Using False ID to Apply for Local Jobs

[KMCH](#) [9/25/2018 12:38 PM, Janelle Tucker, IA] reports a Guatemalan man has been sentenced for using false identification when applying for a job in Independence and Garnavillo. 18-year old Rudi Zamora-Samol of Postville was illegally living in the United States. He was sentenced to more than two months in federal prison on Friday. Zamora-Samol pleaded guilty in August to one count of unlawful use of identification documents. He admitted using a fake Social Security card and a fraudulent green card when filling out an

employment form at an Independence business in May. He also used the same fraudulent documents when applying for work in Garvanillo in April of last year. He is being held in U.S. Marshal's custody until he can be turned over to immigration officials.

[TX] Laredo Border Patrol agents capture 114 immigrants over five-hour period

[Laredo Morning Times](#) [9/25/2018 8:24 AM, Staff, 63K, TX] reports that about 115 undocumented immigrants were arrested by Laredo Sector Border Patrol in two separate incidents over a five-hour period. The first incident occurred at about 9:30 p.m. Sunday. While performing an immigration inspection on the occupants of a tractor-trailer, agents discovered 65 undocumented immigrants being smuggled in the trailer. The temperature inside the trailer was over 90 degrees when they were encountered, but all were found to be in good health. The second incident happened around 2:30 a.m. Monday. After referring a tractor-trailer to secondary inspection, agents found 49 undocumented immigrants being smuggled in the trailer. The trailer was refrigerated, and the temperature inside was 59 degrees when they were found. None of the immigrants required medical attention. In all, 114 undocumented immigrants were taken into custody. Details about the drivers of the tractor-trailers were not immediately available.

[ID] Community support helps delay Hailey man's deportation

[KMVT 11](#) [9/25/2018 12:12 PM, Ricardo Coronado, 4K, ID] reports that the support from the community helped a Hailey man delay his deportation twice after his stay of removal application was denied by U.S. Immigration and Customs Enforcement local office in 2017. Alfonso Chanco, originally from Peru, has lived in the Wood River Valley for 17 years. In late May, he had his bags packed, ticket ready and was about to say his last goodbye to his wife and four children when he got the news – an extension was approved for his stay until Oct 1. An online petition was created to help Chanco from being separated from his family, more than 30,000 signatures were collected and letters were sent to Rep. Mike Simpson and the Sen. Mike Crapo's Office to help Chanco and his family. On Friday, he received the news that ICE allowed an additional extension until April 1, 2019.

[AZ] Previously Deported Rapist Arrested for Illegal Re-Entry in Arizona

[Breitbart](#) [9/25/2018 12:06 PM, Bob Price, 2213K] reports that Yuma Sector agents came upon an illegal immigrant while patrolling in the Andrade, California, area after he illegally crossed the border from Mexico Saturday night, about two miles east of the Andrade Port of Entry. The agents arrested and took him to the Yuma Station for processing and a biometric background check, according to Yuma Sector Border Patrol officials. During processing, the agents identified the man as Sogel Robles-Gonzalez, a 33-year-old previously deported criminal alien from El Salvador. Officials said the Salvadoran national received a conviction for second-degree rape in Suffolk County, New York, in 2009 and is a registered sex offender. Following his prison sentence, U.S. Immigration and Customs Enforcement Enforcement and Removal Operations officers deported Robles-Gonzalez in 2013 via Phoenix International Airport, officials stated. Robles-Gonzalez now faces new federal charges for illegal re-entry after removal as a convicted sex offender.

[CA] Suspect Arrested in Bludgeoning of Seven California Men, 3 of Them Fatal

[New York Times](#) [9/26/2018 12:52 AM, Staff, 25617K] reports a man who fled to California from Texas after being questioned in the disappearance of two Houston relatives was arrested on suspicion of bludgeoning seven men, three fatally, in a string of Los Angeles-area attacks on mostly homeless victims, police said on Tuesday. Ramon Escobar, 47, an

El Salvador native and convicted felon who has been repeatedly deported from the United States, faces three counts of murder and four counts of attempted murder in a case investigators plan to present to prosecutors on Wednesday, authorities said. The suspect was arrested on Monday after he allegedly clubbed a sleeping homeless man in the head with a pair of bolt-cutters in Santa Monica, Los Angeles Police Department Captain William Hayes told a news conference on Tuesday. The U.S. Immigration and Customs Enforcement agency said late Tuesday that Escobar had been deported back to El Salvador six times between 1977 and 2011 and has six felony convictions for burglary and illegal re-entry. Following his most recent removal from the United States, Escobar in 2016 filed an appeal of his immigration case, which U.S. courts granted in December of that year, and he was released from ICE custody on an "order of supervision" in January of 2017, ICE spokesperson Paige Hughes told Reuters by email.

Reported similarly: [Reuters](#) [9/25/2018 1:18 PM, Steve Gorman]

[CA] Man suspected of killing California homeless men with a baseball bat was deported six times, police say

[Washington Post](#) [9/26/2018 6:27 AM, Allyson Chiu] reports the man suspected of "savagely attacking" and robbing homeless men while they slept in Los Angeles and Santa Monica, Calif., is a felon who has been deported six times, local and federal officials said Tuesday. Ramon Escobar, 47, originally from El Salvador, was arrested early Monday morning in Santa Monica and linked to seven attacks spread across both cities that left three men dead and another four seriously injured, Capt. William Hayes with the Los Angeles Police Department's Robbery-Homicide Division said at a news conference Tuesday. Police say Escobar is also a person of interest in the disappearance of his two relatives in Houston. Late Tuesday, U.S. Immigration and Customs Enforcement said in a statement to The Washington Post that Escobar, an "unlawfully present Salvadoran national," was "ordered removed from the U.S. by a federal immigration judge in February 1988 and had been removed to El Salvador six times between 1997 and 2011." Escobar has six felony convictions for burglary and illegal reentry, according to ICE. After his most recent removal, Escobar illegally reentered the country and filed an appeal of his immigration case in June 2016, according to ICE. The court granted the appeal and ICE released Escobar from custody last year. Following the news of Escobar's arrest, ICE announced it filed a detainer against him, meaning they would like to take him into custody "for immigration removal proceedings" whenever another law enforcement agency releases him.

Reported similarly:

[FOX News](#) [9/26/2018 2:45 AM, Benjamin Brown]

[NBC News](#) [9/25/2018 10:45 PM, Phil Helsel and Andrew Blankstein, 3740K]

[CBS Los Angeles](#) [9/25/2018 10:00 PM, Staff, 246K, CA]

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Thursday, Sept. 27, 2018

Executive Office for Immigration Review

Trump is on track to double the immigration court backlog in his first term 2

Policy and Legislative News

Federal judge asks whether Trump's 'America First' agenda is being used to camouflage racial animus..... 2

Ex-ICE chief says #AbolishICE groups should rethink goals 3

Funding The Immigration Crackdown At An 'Unsustainable Rate' 3

How computer software can make policy, explained by family separation at the border 4

[NM] Protestors rally against ICE agents in courthouses 4

Legal News

[TX] Salvadoran asylum seeker's case shows how ICE prolongs detention 4

[TX] Bus Stops and Court Benches..... 5

[CA] He says ICE beat him to force him to be an informant, or be deported. He wants \$750,000 5

Enforcement News

Assault Incidents Against Border Patrol Agents Up 18 Percent in 2018.....6

ICE Deports African Man Who Escaped Ethnic Cleansing6

[MA] 'We have a man gone crazy here on the boat'7

[NY] Immigrant family that sought sanctuary in church is going home... to Ossining.....8

[OH] Deported Fairfield mom welcomed home with prayer service8

[WI] 83 arrested by ICE in 14 counties .8

[WI] As ICE conducts enforcement surge in Wisconsin, Madison officials condemn their actions9

[WI] ICE says it's appropriate, and routine, for agents to call themselves 'police' during immigration races.....9

[MN] Charges: Twin Cities contractor threatened to report his undocumented workers if they complained 10

[TX] 98 people arrested, including 49 in North Texas, in immigration operation 10

[NM] 21 men flee from SUV after Roswell officer tries to make traffic stop	11
[NM] Mother speaks out after son is detained by ICE	11
[ID] Hailey man granted 6-month delay of deportation.....	12
[NV] Immigrant mom who was held in Nevada reunited with daughter, awaits the unknown in family detention center	12
[CA] ICE arrests 150 immigrants in latest Los Angeles area operation	12

[CA] Attempted Murder Convict, Multiple DUI Offender Among 150 Arrested By ICE	12
[CA] Arraignment postponed in California murder cases.....	13
[CA] Texas police questioned man just days before California killings	14
[CA] Future uncertain for Chula Vista Dreamer who accidentally crossed into Tijuana	15

Executive Office for Immigration Review

Trump is on track to double the immigration court backlog in his first term

[ThinkProgress](#) [9/26/2018 1:05 PM, Alan Pyke, 799K, DC] reports at its present pace, the Trump administration would double the backlog of immigration cases facing Department of Justice administrators by the end of his first term in office. The backlog rose again in August, according to numbers released Wednesday by the Syracuse University-based researchers who track and centralize official data on a variety of federal agencies. There are now 764,561 outstanding cases in the immigration courts system managed by Attorney General Jeff Sessions and his staff, up from 746,049 at the end of July. The DOJ system has been choking on its caseload for decades. The problem has accelerated dramatically rather than improved under Trump. There were fewer than 543,000 backlogged cases in the system at the end of January 2017. The August figures mark a 41 percent increase over the first 19 months of Trump's tenure – or roughly 40 percent of his first four-year term. The administration is trying to break the trend, of course – primarily by squeezing DOJ's immigration judges, demanding they operate as rubber-stamp functionaries. One immigration attorney has characterized the combined effects of Trump's mass roundup of the undocumented and Sessions' radical changes to court rules as an attempt to convert the deliberative process of the courts into a deportation assembly line. The "IJ Dashboard" speedometer software is causing "unprecedented anxiety and stress," National Association of Immigration Judges head Ashley Tabbador said last week in Washington, D.C. "Eighty percent of it is red, and then there's a little bit of yellow and a little bit of green. Everything's supposed to be in the green but of course you come in and see all these reds in front of you, this running dial attached to that- the judges are just so shocked," she said.

Policy and Legislative News

Federal judge asks whether Trump's 'America First' agenda is being used to camouflage racial animus

[The Hill](#) [9/26/2018 7:53 AM, Aris Folley, 3846K] reports that a federal judge in San Francisco is asking whether President Trump's "America first" agenda is camouflage for

racial hostility. U.S. District Judge Edward Chen on Tuesday heard arguments over whether the Trump administration should be blocked from rolling back parts of George H.W. Bush-era humanitarian policy that offers foreign nationals U.S. residency from dangerous countries, Bloomberg reported. Roughly 300,000 people from El Salvador, Honduras, Nicaragua and Sudan could be deported if the Trump administration is successful in overturning sections of the policy, the news outlet noted. Chen noted a memo authored by former Department of Homeland Security Deputy Secretary that stated the Temporary Protected Status policy "must end for these countries soon" in order for the country's immigration policies to be compliant the president's "America first" agenda, according to Bloomberg. The federal judge then pressed a Justice Department attorney, Adam Kirschner, about whether the president's slogan phrase was being used to camouflage immigration policies some perceive to be discriminatory.

Ex-ICE chief says #AbolishICE groups should rethink goals

[Dallas News](#) [9/26/2018 3:53 PM, Dianne Solis, TX] reports the people behind the hashtag #AbolishICE should rethink their cause, says the former head of U.S. Immigration and Customs Enforcement. Sarah Saldaña, the Dallas prosecutor who headed ICE in the Obama administration, said Wednesday that a new agency would just pop up in its place if the controversial law enforcement agency were abolished. The real goal for activists, Saldaña said, should be an overhaul of the nation's immigration laws. "It is not ICE that is the problem," said Saldaña, who defended the Department of Homeland Security agency's mission of protecting the U.S. against those who pose a threat. "The problem is not so much the agency and its employees as the policies." That line drew applause from attorneys gathered for a Dallas Bar Association luncheon organized by its immigration attorneys. Dallas immigration attorney Paul Zoltan was given a life achievement award for his work as the co-founder of an asylum clinic, often used by Central Americans. Zoltan is the son of a Hungarian refugee, a fact that motivated him to establish the clinic with Catholic Charities of Dallas. Danial Gividen, the deputy chief counsel of ICE's Dallas regional office, was recognized for professional excellence. Gividen successfully appealed a deportation decision by Dallas immigration Judge Deitrich Sims to the nation's highest immigration court, the Board of Immigration Appeals. The judge had ruled against a Mexican immigrant and wanted him deported.

Funding The Immigration Crackdown At An 'Unsustainable Rate'

[NPR](#) [9/26/2018 4:56 PM, John Burnett and Joel Rose, 2K, TX] reports that President Trump's immigration crackdown has not come cheap. Take the cost of deportation: Immigration and Customs Enforcement has its own airline operation to fly deportees back home. So far this fiscal year, it's \$107 million over budget. ICE Air is the little-known, one-way ticket transportation arm of Immigration and Customs Enforcement. ICE Air is busier than ever because of stepped up deportations under President Trump, and more countries around the globe agreeing to take back deportees from the U.S. The cost to keep up the pace has jumped 30 percent this fiscal year. ICE Air flew more than 97,000 migrants home last year. Most went to Guatemala, followed, in order, by Honduras, El Salvador, Haiti, the Dominican Republic, Brazil, Ecuador, and Colombia. ICE Air also flies detainees between U.S. cities, as jail populations ebb and flow. It's not just ICE's airline operation that's over budget. The Trump administration's immigration crackdown is straining resources across the federal government, leaving officials scrambling to cover the additional cost of detaining and deporting more immigrants. The budget for Department of Homeland Security, which includes Immigration and Customs Enforcement, is upwards of \$47 billion. ICE's budget for

custody operations is a record \$3 billion dollars this year — up from \$1.77 billion in 2010. Lawmakers on both sides of the aisle have objected to these reallocations. Democrats complain that the administration's priorities are out of line. While some Republicans have criticized a "lack of fiscal discipline" at Immigration and Customs Enforcement. ICE is spending "at an unsustainable rate," according to a report issued in June by the Senate subcommittee for Homeland Security, which is chaired by Republican Senator Shelley Moore Capito of West Virginia. [Editorial note: consult source link for audio]

How computer software can make policy, explained by family separation at the border

[VOX](#) [9/26/2018 8:30 AM, Jennifer Pahlka, 3472K, DC] reports that as someone who has spent my career working at the intersection of technology and politics – as U.S. deputy chief technology officer under Obama and in my role with Code for America, the nonprofit I founded and run – I was particularly struck by how border agents process people coming across the border. They use a computer program that allows them to categorize people in one of three ways: as an "unaccompanied minor," an "individual adult," or an "adult with children," which refers to the whole family unit. Each case gets assigned an identification number, and families shared one ID number.

This seemed to work fine, until the Trump administration ordered these agents to separate these same families. In order to do that, border agents reprocessed members of families as either individual adults or unaccompanied minors, and gave everyone new identification numbers, thus losing the one piece of data that connected the members of the family in the system. So, when the court ordered that agents reunite families, those same processing center records no longer reflected which children belonged to which parents.

[NM] Protestors rally against ICE agents in courthouses

[Albuquerque Journal](#) [9/26/2018 10:05 PM, Ryan Boetel, 55K, NM] reports Jose Carlos Padilla-Arreola beat his drunken driving charge last week, but he was led out of the courthouse in handcuffs anyway. The 27-year-old from Mexico was arrested by federal Immigration and Customs Enforcement agents, and is currently jailed and fighting deportation proceedings. "His home and his family [are] in the U.S. and his place is here with us," said Genoveva Padilla, Padilla-Arreola's mother, during a rally outside Metro Court Wednesday morning. Several dozen people stood outside the courthouse with signs saying things like "Justice for all" and calling on the agency to be banned from courthouses. Activists, attorneys and others said ICE's presence in New Mexico courthouses, especially Bernalillo County Metropolitan Court, is pressuring people to stay away from courts, leading to bench warrants. Nearly 250 attorneys and retired judges signed a petition last month asking the state Supreme Court to require ICE have a judicial warrant approved by a judge before arresting someone in or near a courthouse in the state. A spokesperson for ICE couldn't be reached for comment on Wednesday.

Legal News

[TX] Salvadoran asylum seeker's case shows how ICE prolongs detention

[UPI](#) [9/26/2018 3:22 PM, Patrick Timmons] reports that Lenin Hernández Argujo, 22, fled El Salvador to the United States in May 2016 after the MS-13 gang threatened and tried to extort him. Hernández presented himself to immigration officers at the downtown

international bridge in El Paso, Texas, to request asylum – and has been in detention ever since, 28 months. Hernández's lawyer Carlos Spector and the American Civil Liberties Union filed a petition in federal court in El Paso on Friday, requesting a bond hearing in front of a neutral judge who can decide if he is a flight risk or poses a danger to the community. Stories like Hernández's are becoming more common on the U.S.-Mexico border, as parole is repeatedly denied and asylum seekers languish in detention. Regional Immigration and Customs Enforcement offices, including El Paso, started issuing blanket denials of parole during the Obama administration. The practice has become the norm under President Donald Trump. The ACLU has been fighting the practice, filing a class-action lawsuit in March in U.S. District Court in Washington, D.C., arguing that ICE is involved in "systematic detention" of asylum seekers at five field offices – El Paso, Detroit, Los Angeles, Newark, N.J., and Philadelphia. In July, a federal court issued an injunction against routine parole denials at the five offices, requiring officers to provide individual explanations for continued detention. At least 1,000 people were affected, including Hernández. ICE spokeswoman Leticia Zamarripa said Wednesday that Hernandez "remains detained in ICE custody pending disposition of his immigration case." She couldn't comment further because of the pending litigation, she said.

[TX] Bus Stops and Court Benches

[Austin Chronicle](#) [9/28/2018 6:00 AM, Martin Steinhagen, TX] reports every day migrants cross the southern border and get apprehended by Border Patrol, who detain and question them, and if they're lucky, drop them off here in McAllen, where they're free to board a bus heading in the direction of their friends or relatives somewhere in the U.S. until an immigration court decides their case. And yet as chaotic and unpredictable as President Donald Trump's "zero-tolerance policy" has made so many parts of their lives, the McAllen Central Station is surprisingly different. Several volunteers and advocacy groups work together to help every person who arrives here. Together, they've created something like a makeshift bureaucracy – a very compassionate one – a well-working routine. Some of those crossing the border already have a date in a different court just a few days after entering the U.S. In April, U.S. Attorney General Jeff Sessions told prosecutors to file charges in every misdemeanor case for "improper entry." The effect can be observed in McAllen's federal courthouse, a black-windowed high-rise just a few blocks from the bus station – mass hearings of migrants, conveyor belt justice, where more than 70 immigrants with shackles around their ankles fill the seats intended for visitors.

[CA] He says ICE beat him to force him to be an informant, or be deported. He wants \$750,000

[Sacramento Bee](#) [9/26/2018 10:45 AM, Anita Chabria, CA] reports that one year ago Wednesday, Carlos Alfred Rueda Cruz says he was inside the Immigration and Customs Enforcement office in downtown Sacramento where federal agents physically attacked him to force him to authorize a voluntary deportation order. Rueda alleges the assault came after his refusal to turn in other undocumented people in the Sacramento area in exchange for being allowed to stay in the United States with his wife and three children. Wednesday, Rueda was expected to announce outside the federal building that he has filed a \$750,000 claim against ICE and the U.S. Department of Homeland Security, a precursor to a federal lawsuit, that describes a months-long campaign by federal agents to coerce him into being an informant. He says it was an effort that included violence, and ended only after he was held down and forced to put his fingerprint on the papers that would remove him from the country.

[CBS Los Angeles](#) [9/26/2018 9:55 PM, Staff, 246K, CA] reports that a spokesman for ICE told the paper the agency could not comment on a pending lawsuit, but that "ICE does take seriously any allegation of misconduct."

Enforcement News

Assault Incidents Against Border Patrol Agents Up 18 Percent in 2018

[Breitbart](#) [9/26/2018 10:37 AM, Bob Price, 2213K] reports that Border Patrol agents continue to be the most assaulted of federal law enforcement officers, according to U.S. Customs and Border Protection. This fiscal year, Border Patrol agents became victims of assault 619 times. "U.S. Border Patrol agents are the most frequently assaulted and most frequently injured federal law enforcement officers," El Paso Sector Chief Patrol Agent Aaron A. Hull during the groundbreaking of a new border wall segment in El Paso, Texas, last week. "We've seen time and time again that the addition of serious infrastructure creates a safer environment for our people to operate. It also creates a safer community on both sides of the border."

A report released this week by U.S. Customs and Border Protection reveals that Border Patrol agents were the target of various types of assaults 619 times between October 1, 2017, and August 31, 2018. While the number of agents assaulted dropped by eight percent from Fiscal Year 2017, the number of assault incidents actually increased by 18 percent. In Fiscal Year 2017, CBP officials reported 286 incidents of assault compared to 338 in Fiscal Year 2018, the report states.

ICE Deports African Man Who Escaped Ethnic Cleansing

[Truthdig](#) [9/26/2018 3:22 PM, Laura C. Morel] reports that in his native Mauritania, Seyni Malick Diagne was arrested and expelled to a refugee camp because of the color of his skin. He fled to the United States in 2001 and settled in Columbus, Ohio, home to a growing community of black Mauritians who escaped their country's ethnic cleansing in the 1990s. Diagne learned English and always had a job, his friends say, working at warehouses or clothing retailers. He volunteered on the weekends at a local mosque and taught children about their heritage. Diagne, 64, is undocumented. His asylum claim was denied and an immigration judge issued a removal order in 2005. But he wasn't a priority to Immigration and Customs Enforcement, so the agency "permitted Diagne to remain free from custody to pursue legal remedies in his case," a spokesman said. That changed on June 13, when ICE arrested Diagne.

He is among dozens of Mauritians who have been deported this year despite calls from human rights organizations asking the U.S. government to stop the removals. Advocates say black Mauritians who were exiled decades ago aren't considered citizens and face discrimination in a country that was the last in the world to abolish slavery in 1981. Their deportations are a result of increased immigration enforcement under the Trump administration. ICE deported nearly 192,000 immigrants so far this fiscal year, a 9 percent increase over the same time period in 2017, according to federal figures released this month. Diagne's lawyers asked the Board of Immigration Appeals to stop his removal. Besides the risks awaiting him in Mauritania, he was also diagnosed with kidney cancer, according to court filings. But the motion was denied. Hours before Diagne boarded a plane at Dulles International Airport on Aug. 22, his attorneys filed an emergency stay of removal.

with the U.S. Court of Appeals for the Sixth Circuit. It was too late: Diagne was deported that night. In 2017, only eight Mauritians were deported, according to federal figures. As of Aug. 13, 81 have been removed, an ICE spokesman told Reveal. When ICE arrested Diagne, he told the agency about his cancer, according to court records. He also told ICE about his Hepatitis B and failing vision. But his lawyers say that Diagne did not receive medical attention while in detention. ICE didn't answer Reveal's questions about Diagne's medical care. A spokesman said the agency "is committed to ensuring the health, safety, and welfare of all those in our care." "In accordance with ICE's rigorous performance-based national detention standards," he added, "the agency ensures continuity of care from admission to transfer, discharge, or removal."

[MA] 'We have a man gone crazy here on the boat'

[Boston Globe](#) [9/26/2018 12:05 PM, Travis Andersen, 854K, MA] reports that a Mexican national was held without bail Wednesday for an alleged murder on the high seas off the coast of Nantucket, and the Coast Guard released chilling audio of the mayday call from the suspect's captain, who told authorities the defendant had "gone crazy here on the boat." Franklin Freddy Meave Vazquez, 27, shuffled into court handcuffed and wearing maroon jail garb and flip-flops with socks. Vazquez, who's been living in the United States illegally and who was freed from ICE custody by an immigration judge in April, could face the death penalty if convicted of killing J.S., as well as a maximum 20-year prison term if found guilty of trying to murder R.H. Stylianus Sinnis, Vazquez's public defender, declined to comment after the hearing. The ICE statement said Vazquez "is a Mexican national illegally present in the U.S. ICE encountered [Vazquez] at the Norfolk City Jail in Virginia through its Criminal Alien Program in March 2018 after he was arrested by the Newport News Police Department" for the alleged domestic assault. "He entered ICE custody upon release from the jail." Despite ICE's objections, the agency said, "an immigration judge granted [Vazquez] bond. ICE had to release him from custody April 27 after he posted bond." ICE added that Vazquez's immigration case "remains in proceedings before an immigration judge. ICE is closely monitoring his case to determine next steps to ensure he no longer poses a public safety threat."

[Breitbart](#) [9/26/2018 7:33 PM, Katherine Rodriguez, 2213K] reports that an illegal alien accused of murdering his boat crew mate and injuring two others aboard a fishing vessel off the coast of Massachusetts was allowed to stay in the country as a DACA recipient, a source told Breitbart News. Franklin Freddy Meave Vazquez, 27, a Mexican national, reportedly entered the U.S. illegally in June 2001 near Brownsville, Texas, when he was 10 years old, and qualified for deferred action under the Deferred Action for Childhood Arrivals program on November 30, 2013, the source said. Immigration officials denied his request on August 16, 2016 – nearly a year after the expiration of his DACA status. The Mexican national's request was denied due to abandonment, meaning he either failed to respond to inquiries from immigration officials or failed to make a required appearance in front of immigration authorities, documents say. Vazquez had been arrested two times in 2018 and was released on bond both times despite the expiration of his DACA status. In March, Vazquez was arrested in Newport News, Virginia, for abduction by force, intimidation, and deception – but authorities released him on \$20,000 bond. ICE released him from custody in April after an immigration judge granted him bond, despite objections from ICE.

Reported similarly:

[ABC News](#) [9/26/2018 4:30 PM, Julia Jacobo, 3178K]

[Boston 25](#) [9/26/2018 2:45 PM, Staff, MA]

[NY] Immigrant family that sought sanctuary in church is going home... to Ossining
[Rockland Westchester Journal News](#) [9/26/2018 6:57 PM, Jorge Fitz-Gibbon, NY] reports an Ossining family that sought sanctuary in a local church to stave off deportation by immigration authorities is going home. Juan Guambana and his wife, Maria Tenesaca, can leave the South Presbyterian Church on Broadway in Dobbs Ferry because an immigration judge signed a stay of deportation Tuesday evening, family supporters said. That gives the family a reprieve to return home while lawyers for the family fight to allow them to remain in the country where they've spent the majority of their lives. The announcement came at a press conference at the church on Wednesday, when immigration advocates and more than 40 supporters gathered with Guambana and his family in a show of solidarity. The couple fled to the church on Monday, seeking sanctuary from deportation.

Reported similarly:

[News 12 Hudson Valley](#) [9/26/2018 12:23 PM, 6K, NY]

[FIOS](#) [9/26/2018 11:45 PM, Staff, NY]

[OH] Deported Fairfield mom welcomed home with prayer service

[Journal-News](#) [9/26/2018 9:40 AM, Mike Rutledge, 32K, OH] reports that St. Julie Billiart Church officially welcomed back Fairfield mother Maribel Trujillo Diaz on Tuesday with a Prayer of Thanksgiving Service for one of its former, and once-again, volunteer readers of Scriptures during Masses. After she made a statement in English and Spanish about her 17-month deportation to Mexico and separation from her family, the crowd of about 75 stood and applauded. But that response was quiet compared to what happened at St. Julie's on Sunday, when the mother of four, who goes by the last name of Trujillo, appeared at the church unannounced. "A few minutes before Mass, Maribel and her family came in the door," Father Mike Pucke said. "As they started walking into the gathering area of the church, all of a sudden a couple of our women who are ministers started screaming. They couldn't believe it." Trujillo, after posting \$1,500 bond, had quietly reunited with her family Sept. 19 after being deported in April 2017. On Monday, her advocates announced she was back home. She was able to return to the United States this month because a Cincinnati-based federal appeals court ruled that an immigration appeals board in Cleveland had not given proper consideration to evidence that her family was being targeted by drug cartels in Mexico. She was allowed to return to be able to attend her deportation hearing, when it happens.

[WI] 83 arrested by ICE in 14 counties

[U.S. World & News Report](#) [9/26/2018 8:43 AM, Associated Press] reports that U.S. Immigration and Customs Enforcement says deportation officers arrested 83 people in 14 Wisconsin counties over four days ending Monday. The ICE arrests have prompted at least two school districts in Dane County, Madison and Oregon, to send an email to parents to make sure they know their rights and offered resources for help. ICE says of the 77 men and six women arrested, 44 have criminal convictions. Sixteen are immigration fugitives with no previous criminal convictions and 21 illegally re-entered the U.S. after having been previously deported. Twenty people were arrested in Dane County. Madison Police Chief Mike Koval has said his department has an agreement with ICE to know when and where arrests are made. Police say ICE made the arrests without prior communication.

The [Wausau Pilot & Review](#) [9/26/2018 12:56 PM, Shereen Siewert] reports, "This operation targeted criminal aliens, public safety threats, and individuals who have violated

our nation's immigration laws," said Ricardo Wong, field office director for ICE ERO Chicago. All of the targets in this operation were amenable to arrest and removal under the U.S. Immigration and Nationality Act. ICE deportation officers carry out targeted enforcement operations daily nationwide as part of the agency's ongoing efforts to protect the nation, uphold public safety, and protect the integrity of our immigration laws and border controls. These operations involve existing and established Fugitive Operations Teams. During targeted enforcement operations, ICE officers frequently encounter other aliens illegally present in the United States. These aliens are evaluated on a case-by-case basis, and, when appropriate, they are arrested by ICE officers, officials said.

[1310 WIBA](#) [9/26/2018 12:23 PM, Staff, 1K, WI] reports that an ICE spokeswoman released a statement that they are only targeting specific individuals who pose a threat to national security, public safety, and border security. "While looking for those specific individuals, ICE officers sometimes encounter others who are also in violation of U.S. immigration laws," said Nicole Alberico with U.S. Immigration and Customs Enforcement.

Reported similarly:

[FOX 6 Now](#) [9/26/2018 3:05 PM, Katie DeLong, 106K, WI]

[WEAU 13 News](#) [9/26/2018 8:00 PM, Tajma Hall, 24K, WI]

[Capital Times](#) [9/26/2018 6:59 AM, Staff, 142K, WI]

[WBAY](#) [9/26/2018 6:56 PM, Alisha Morales, WI]

[WFRV](#) [9/26/2018 8:16 AM, Benjamin Burns, 7K, WI]

[WHBL](#) [9/26/2018 8:51 AM, Staff, 4K, WI]

[WI] As ICE conducts enforcement surge in Wisconsin, Madison officials condemn their actions

[Badger Herald](#) [9/26/2018 5:33 PM, Emilie Cochran, 8K, WI] reports that an increase in U.S. Immigration and Customs Enforcement activity the last week has sparked a variety of responses from the Madison community. In a four day operation, ICE arrested 83 undocumented individuals in 14 Wisconsin counties, including 20 from Dane County, according to the ICE press release. Ricardo Wong, field office director for the ICE Enforcement and Removal Operations Chicago, said in this operation, ICE targeted people who have violated the U.S. immigration laws and are "threats to public safety." Of the 83 individuals, 44 of those arrested had criminal convictions, 21 re-entered the U.S. after being deported and 16 of those arrested had no prior criminal history, according to the press release. "Operations like this reflect the vital work our ERO officers do everyday to protect our communities, uphold public safety and protect the integrity of our immigration laws," Wong said in the press release. "We will continue working with our community law enforcement agencies in order to protect citizens and enforce immigration law."

[WI] ICE says it's appropriate, and routine, for agents to call themselves 'police' during immigration races

[Milwaukee Journal Sentinel](#) [9/26/2018 5:29 PM, Jesse Garza, WI] reports that it is common practice for immigration officers to identify themselves as "police" during enforcement actions targeting people in the country illegally, according to an official with Immigration and Customs Enforcement. "ICE officers are police officers. Any suggestion to the contrary is both ridiculous and dangerous," ICE spokesman Shawn Neudauer said in a statement issued Wednesday. The agency was sharply criticized this week by Dane County Sheriff David J. Mahoney and Madison Mayor Paul Soglin for ICE agents identifying themselves as

police during immigration raids across Wisconsin in which 83 people were arrested. "It is the universally recognized term for law enforcement and our personnel routinely interact with individuals from around the world," Neudauer said, adding that agents' affiliation is displayed on their uniforms and jackets. Soglin and Mahoney also claimed that local law enforcement was not notified in advance of the operation, placing all officers at risk and damaging the trust established with immigrant communities. However, Neudauer said an ICE supervisory officer contacted a Madison law enforcement official about the operations several days before it was conducted. "In addition, ICE notified local law enforcement dispatch communications centers in each county where ICE officers were operating," Neudauer said. "Any rumors or suggestion that ICE did not notify local law enforcement agencies prior to the start of our recent operations in Wisconsin are inaccurate." He added that for operational security reasons, federal law enforcement agencies are not required to provide specific, detailed information concerning operations when local law enforcement is not directly involved. "However, giving courtesy notice of an outside agency's presence is a common practice among law enforcement agencies that helps prevent miscommunication and further ensures that officers from different agencies are working safely in the same areas," Neudauer said.

[MN] Charges: Twin Cities contractor threatened to report his undocumented workers if they complained

[Minneapolis Star Tribune](#) [9/26/2018 7:57 PM, Paul Walsh, 524K, MN] reports that a Twin Cities contractor has been charged with bringing undocumented workers to Minnesota and then threatening to report them to immigration officials if they complained about being underpaid and working in dangerous job conditions. Ricardo E. Batres, who operates Crystal-based American Contractors, was charged Tuesday in Hennepin County District Court with felony counts of labor trafficking, theft by swindle and insurance fraud. Multiple workers were arrested by Immigration and Customs Enforcement agents last summer, according to the charges.

[TX] 98 people arrested, including 49 in North Texas, in immigration operation

[Dallas News](#) [9/26/2018 12:57 PM, Claire Z. Cardona, 496K, TX] reports that federal agents arrested 98 people, including 49 in North Texas, in an operation that targeted unauthorized immigrants and those with criminal records, according to preliminary numbers from U.S. Immigration and Customs Enforcement. The 10-day operation, which ended Friday, was conducted in parts of Texas and Oklahoma, the agency said in a written statement. Among those arrested was a Mexican citizen with two warrants for aggravated sexual assault of a child. He had previously been convicted of illegal entry and reckless injury to a child. He was arrested Sept. 12 and turned over to the Kaufman County Sheriff's Department. ICE officers also arrested two Salvadoran citizens with Interpol warrants. One was a MS-13 gang member and another was reported to be a leader of an MS-13 clique, the agency said. ICE has said that these operations are routine and that officers also encounter other people in the country illegally. Those cases are evaluated individually and arrests are made "when appropriate," the agency said.

[WFAA](#) [9/26/2018 1:54 PM, Staff, 191K, TX] reports, "Most of the aliens targeted by [Enforcement and Removal Operations] deportation officers during this operation had prior criminal histories," read a press release on the operation. Sixty-seven of them had prior convictions, for a slew of crimes including drug and weapons crimes, trafficking, sex crimes and even murder, according to ICE. A total of 87 men and 11 women, ranging from age 19

to 62, were arrested. Wednesday's ICE release detailed four specific arrests over a nine-day span. "By removing criminal aliens from the streets during this North Texas and Oklahoma operation, our ICE officers provide a valuable community service by enhancing public safety," Marc J. Moore, field office director of Enforcement and Removal Operations Dallas said in a release. "These ongoing daily operations also help maintain the integrity of our immigration laws." ICE specifically targeted the 98 individuals arrested last week. During such an operation, non-targets are "evaluated on a case-by-case basis, and, when appropriate, they are arrested by ICE officers."

[Law 360](#) [9/26/2018 1:25 PM, Suzanne Monyak] reports that "by removing criminal aliens from the streets during this North Texas and Oklahoma operation, our ICE officers provide a valuable community service by enhancing public safety," said Moore. "These ongoing daily operations also help maintain the integrity of our immigration laws." About a third of those arrested had re-entered the U.S. after being deported, which is a felony, ICE said.

Reported similarly:

[FOX News](#) [9/26/2018 6:18 PM, Nicole Darrah, 11653K]
[CBS Dallas Fort Worth](#) [9/26/2018 10:33 AM, Staff, 350K, TX]
[Star-Telegram](#) [9/26/2018 12:42 PM, Nichole Manna, 192K, TX]
[WBAP](#) [9/26/2018 4:31 PM, Staff, TX]
[KCBD](#) [9/26/2018 7:00 PM, Ryan Crowe, TX]
[KFMX Radio](#) [9/26/2018 6:04 PM, Andrew Coats, 2K, TX]
[KWTX](#) [9/26/2018 3:01 PM, Associated Press, TX]
[NBC Dallas-Fort Worth](#) [9/26/2018 12:13 PM, Staff, 119K, TX]
[News-Journal](#) [9/26/2018 2:50 PM, Staff, 17K, TX]
[CBS 19-TV](#) [9/26/2018 5:52 PM, Staff, 9K, TX]
[News OK](#) [9/26/2018 11:51 PM, Staff, 202K, OK]
[Tulsa World](#) [9/26/2018 2:02 PM, Staff, 87K, OK]
[KOCO 5](#) [9/26/2018 12:43 PM, Staff, 37K, OK]

[NM] 21 men flee from SUV after Roswell officer tries to make traffic stop

[KRQE](#) [9/26/2018 7:27 PM, Elena Mendoza, 43K, NM] reports that an early Monday morning, a traffic stop on Main Street and Brasher Road in Roswell took an unexpected turn. "We've got multiple subjects at large," said the officer. While Roswell Police wouldn't say if this is a suspected case of human smuggling, they did learn one thing before turning the suspects over to Immigration and Customs Enforcement. "The initial investigation led us to believe that at least 20 of them were in the country illegally," police spokesman Todd Wildermuth said. It's unknown if the driver was one of those twelve people found. KRQE News 13 is waiting on additional information from ICE. The whole reason the officer pulled over the SUV in the first place, is because it was driving southbound in a northbound lane on Main Street.

[NM] Mother speaks out after son is detained by ICE

[KRQE](#) [9/26/2018 2:21 PM, Staff, 43K, NM] reports that a mother is sharing her story after her son was detained by ICE agents. Jose Carlos says he stepped out of Metro court last week when five agents detained him. Wednesday, his mother, along with local immigration groups, gathered together to support Carlos. A translator helped describe Carlos' mother's frustration with the incident. "I can't comprehend a person that wants to take responsibility

for his actions and face the consequences be treated this way and be treated like a dangerous criminal," said Carlos' mother via a translator.

[ID] Hailey man granted 6-month delay of deportation

[Idaho Mountain Express](#) [9/26/2018 6:00 AM, Mark Dee, 3K, ID] reports that backed by 33,000 petitioners across the country, a Hailey man was granted a six-month stay of deportation Friday to continue to care for his disabled daughter. Alfonso Chanco now has until April 1 to leave the country, following a last-minute extension from the federal Immigration and Customs Enforcement agency. He was initially ordered out by Monday, Oct. 1.

[NV] Immigrant mom who was held in Nevada reunited with daughter, awaits the unknown in family detention center

[Nevada Independent](#) [9/26/2018 2:10 AM, Luz Gray and Michelle Rindels, NV] reports that a single mother from Guatemala who was detained in Nevada and was separated from her 5-year-old daughter for four months because of the Trump administration's "zero tolerance" policy has been reunited with her child, although both are now being held in a family detention center in Texas, and they don't know when they will leave. Olivia Aguilar Bamaca and her daughter were reunited Sept. 13, weeks after most other families had already been reunified, and are passing their time in confinement while their immigration cases wind through the system. Brian Ramsey, Aguilar Bamaca's lawyer, has requested a new "credible fear interview" for his client because she didn't "pass" it the first time, possibly because the interview itself was cut short. If she gets and passes the second interview, that could allow her to stay longer in the country with her daughter and continue pursuing a case for asylum. He thinks the fact that she didn't pass may have contributed to bureaucratic confusion that kept her apart from the girl longer than many other separated parents. Immigration and Customs Enforcement nearly deported her in August without the girl, even though she hadn't waived her right to be reunified, before Ramsey intervened with a lawsuit.

[CA] ICE arrests 150 immigrants in latest Los Angeles area operation

[Los Angeles Times](#) [9/26/2018 2:45 PM, Brittny Mejia, 3575K] reports Immigration officials on Wednesday announced the arrest of about 150 people in the Los Angeles area they described as "criminal aliens and other immigration violators." The sweep is just the latest by ICE. In June, the L.A. field office made 162 arrests. Of the 157 men and five women arrested, most of them — 129 — were Mexican nationals, according to ICE. The agency said almost 90% of the people arrested during that operation had criminal convictions.

Reported similarly:

[Riverside Press Enterprise](#) [9/26/2018 4:46 PM, Staff, 55K, CA]

[CBS Los Angeles](#) [9/26/2018 10:53 AM, Staff, 246K, CA]

[KTLA](#) [9/26/2018 11:01 AM, Steve Ganey, 270K, CA]

[Los Angeles ABC7](#) [9/25/2018 11:42 AM, Staff, 11K, CA]

[CA] Attempted Murder Convict, Multiple DUI Offender Among 150 Arrested By ICE

[CBS Los Angeles](#) [9/26/2018 3:53 PM, Staff, CA] reports a man with an attempted murder conviction and a woman who has seven convictions for driving under the influence were among 150 people arrested this week in the Southland by federal immigration agents, authorities said Wednesday. U.S. Immigration and Customs Enforcement (ICE) said the raid targeted "criminal aliens" and other immigration violators, but decried "the lack of

cooperation from local jails is negatively impacting public safety." About 40 percent of those arrested in the sweep – which took place between Sunday and Tuesday – had previously been released by local law enforcement agencies despite ICE detainers asking arresting agencies to notify immigration officers prior to the suspect's release from custody, according to the ICE officials. Nearly all arrestees had prior criminal convictions, authorities said. Of the 150 arrests, 76 took place in Los Angeles County, 34 in Orange County, and 16 in Riverside County. The arrestees — 138 men and 12 women — are from a dozen countries, with the 123 of them from Mexico, according to ICE.

According to Thomas Giles, acting field office director for ICE Enforcement and Removal Operations Los Angeles, all 150 arrestees were "targeted" and only after agents had performed surveillance and background checks before making the arrests. He pointed to Senate Bill 54, the so-called "sanctuary state" bill — which, among other things, prohibits state and local law enforcement from using resources to investigate or arrest people for immigration enforcement purposes. "The state laws preventing ICE from working in the jails is significantly impacting public safety by letting serious repeat offenders back out onto our streets," said Giles. "Our presence would be focused in the jails, rather than in the streets, and safer for all involved, if ICE could again coordinate transfers of criminal aliens with local jails."

[CA] Arraignment postponed in California murder cases

[Washington Post](#) [9/26/2018 8:01 PM, Associated Press] reports that a man who Los Angeles police say is a "deportable felon" responsible for the beating deaths of three men was questioned weeks earlier by Houston authorities about the disappearance of his aunt but released because he had no outstanding warrants. Houston police spokesman Kese Smith said Wednesday that 47-year-old Ramon Escobar was not a suspect in his aunt's disappearance when he was questioned Aug. 30. Smith said a background check determined he had no outstanding warrants and was in the country on a work visa, so he was released. Smith says immigration status is checked only when a person is being booked into the city jail after being charged with a crime. Federal officials say Escobar has been deported to his native El Salvador six times. Authorities say Escobar later traveled to Los Angeles where he was being held Wednesday for allegedly attacking homeless men as they slept. He's now a person of interest in the disappearance of his aunt and uncle, who is being held without bail, has an attorney. Immigration officials say Escobar is from El Salvador but has a long criminal history in the U.S. He was released from Immigration and Customs Enforcement custody last year after appealing his latest immigration case but his legal status wasn't immediately clear.

The [Washington Post](#) [9/26/2018 11:07 PM, Associated Press] further reports that a Houston police spokesman says foul play is now suspected in the disappearance of the aunt and uncle of a suspect in several California homicides. Houston Police Department spokesman Kese Smith said late Wednesday that he had no further information on the development in the disappearance of 60-year-old Dina Escobar and 65-year-old Rogelio Escobar, whose nephew is 47-year-old Ramon Albert Escobar. Ramon Escobar is considered a person of interest in the cases. Ramon Escobar is suspected in a series of killings and beatings targeting sleeping homeless people in Southern California. He was charged Wednesday in Los Angeles with three counts of murder, five counts of attempted murder and four counts of second-degree robbery.

[U.S. News & World Report](#) [9/26/2018 4:29 PM, Steve Gorman and Alex Dobuzinskis]

reports that Los Angeles police Captain William Hayes on Tuesday described Escobar as a "previously deported felon" who is originally from El Salvador and had applied for asylum in the United States. U.S. Immigration and Customs Enforcement (ICE) officials said Tuesday that Escobar had been deported back to El Salvador six times between 1977 and 2011 and has six felony convictions for burglary and illegal re-entry. Escobar in 2016 filed an appeal of his immigration case, which U.S. courts granted in December of that year, and he was released from ICE custody on an "order of supervision" in January 2017, ICE spokesperson Paige Hughes told Reuters by email. Escobar, who was jailed without bond, was due in Los Angeles Superior Court on Wednesday afternoon for an arraignment, said Ricardo Santiago, a spokesman for the Los Angeles County District Attorney's Office. Hayes told reporters the suspect was apparently homeless himself and that robbery appeared to be his motive.

Reported similarly:

[Reuters](#) [9/26/2018 9:19 PM, Steve Gorman and Alex Dobuzinskis, 5544K]

[CNN](#) [9/26/2018 8:25 AM, Susannah Cullinane and Cheri Mossburg, 28810K]

[Los Angeles Times](#) [9/26/2018 8:00 AM, James Queally and Richard Winton, 3575K]

[BuzzFeed](#) [9/26/2018 5:30 PM, Talal Ansari, 11771K]

[Newsweek](#) [9/26/2018 6:32 AM, Ewan Palmer, 2126K]

[NBC 4 Los Angeles](#) [9/26/2018 6:24 PM, Jason Kandel and Patrick Healy, 154K, CA]

[ABC 7](#) [9/26/2018 10:30 AM, Miriam Hernandez, CA]

[CBS Los Angeles](#) [9/26/2018 9:27 AM, Staff, 246K, CA]

[PJ Media](#) [9/26/2018 3:22 PM, Tyler O'Neil, CA]

[CA] Texas police questioned man just days before California killings

[Washington Post](#) [9/27/2018 2:33 AM, Christopher Weber and Elliot Spagat] reports a man with a history of violence who'd been deported from the United States six times wasn't flagged for arrest by Houston police and fled to California, where he's now charged in a series of killings, authorities said. Ramon Escobar, 47, came to the attention of Houston police when his aunt and uncle disappeared in August but he was released since no foul play was suspected, Houston police spokesman Kese Smith said Wednesday. Smith added that foul play was now suspected in the disappearances. Escobar arrived in California earlier this month, where authorities say he began a string of attacks that killed three men and seriously injured four, most of them homeless. Investigators believe that Escobar bludgeoned the men with a wooden baseball bat or bolt cutters as they slept on the beach or on the streets of Los Angeles and Santa Monica in order to rob them. Escobar was charged Wednesday in Los Angeles County with three counts of murder, five counts of attempted murder and four counts of second-degree robbery in attacks involving homeless men.

The El Salvador-native has a long criminal history, including six felony convictions for burglary and illegal re-entry, but U.S. Immigration and Customs Enforcement released him from custody after Escobar won an appeal in immigration court in 2016. Immigration records are generally not public, so it remained a mystery how he won. Andrew Arthur, a retired immigration judge, said the Board of Immigration Appeals may have allowed Escobar to stay in the country and be released under ICE supervision by granting him asylum or some other form of relief, like "withholding of removal" or protection under the United Nations Convention Against Torture. John Sandweg, a former acting director of ICE, said a serious criminal record can hurt an asylum claim but doesn't disqualify someone from withholding of removal. Unlike asylum, withholding of removal does not include a path to citizenship and is

therefore considered less appealing. ICE spokeswoman Paige Hughes declined to comment on Escobar's case beyond a statement issued late Tuesday. The Executive Office for Immigration Review, which oversees the immigration courts, did not provide information.

[CA] Future uncertain for Chula Vista Dreamer who accidentally crossed into Tijuana
[San Diego City Beat](#) [9/26/2018 11:26 AM, Andrea Lopez-Villafañá, 7K, CA] reports late night on July 14, Marcela Dominguez woke up in the backseat of a friend's car only to find herself in Tijuana. Dominguez, a recipient of the Deferred Action for Childhood Arrivals, or DACA, program was mistakenly taken across the border by a friend who had offered to drive her home. A short while after crossing into Mexico, Dominguez woke up and the pair immediately attempted to return to the United States. According to Dominguez, a border official told her that if she could provide a picture of her work authorization card given to DACA recipients he would let her through. Despite being able to contact her sister through text, Dominguez did not receive the picture her sister sent. With that, Dominguez, 32, was arrested on July 15 by border officials at the San Ysidro Port of Entry and spent nearly two months in the Otay Mesa Detention Center before being released on Friday, Sept.14. While in detention, U.S. Citizenship and Immigration Services mailed a letter to Dominguez's home notifying her that her DACA and employment authorization were "terminated automatically as of the date of departure from the United States." Kirsten Zittlau, Dominguez's attorney, said they have submitted three letters to USCIS to request that it reinstate her DACA status. "Meanwhile she's actively in deportation proceedings, and thankfully she's in the non-detained docket now but she's in removal proceedings." According to Lauren Mack, ICE public affairs officer in San Diego, U.S. Customs and Border Protection is responsible in determining whether information provided by an individual with DACA at a port of entry is valid to admit them back into the U.S. However, if the individual is not found credible, the person is placed into immigration proceedings and into ICE custody.

{End of Report}



EOIR MORNING BRIEFING

U.S. Department of Justice
Executive Office for Immigration Review
By TechMIS
www.TechMIS.com

Friday, Sept. 28, 2018

Executive Office for Immigration Review

Immigration Court Backlog Growing 2

Shifting Cases Could Help
Overburdened Asylum System 2

Policy and Legislative News

Caravans of migrants continue pouring
over U.S.-Mexico border 3

[CA] In Little Saigon, strong support for
Trump's war on illegal immigration
collides with other realities 3

[CA] California governor vetoes 2 bills to
help immigrants 3

[CA] Judge rules for Huntington Beach
in its challenge to state's 'sanctuary'
immigration law 4

Legal News

3rd Circ. Rules Some Immigrants Are
Owed Bond Hearings 5

[MI] Livonia man says he got conned
out of \$60k for fake immigration
services 5

[ID] Only 25 percent of Idahoans in
immigration court have lawyers. A new
nonprofit plans to change that 6

[CA] Sacramento man files \$750,000
claim against ICE, says agents beat him
to get him to be a snitch 6

Enforcement News

Just 25% ICE arrests from community
raids, far below Obama's roundups 6

ICE arrests almost 100 people in North
Texas and Oklahoma 7

North Texas ICE Raid Highlights
Differences in Trump, Obama
Immigration Enforcement 7

[MA] Illegal immigrant charged with
murdering shipmate 8

[MI] ICE to allow deaf Nigerian
immigrant another year in U.S. 8

[OH] Deported Fairfield mom reunited
with family after 17 months in Mexico ... 8

[WI] ICE arrests prompt Green Bay teen
to arrange peaceful protest at farmers
market 9

[TX] Mexican wanted for murder caught
by ICE in Texas 9

[AZ] Border Patrol agents arrest 264
undocumented immigrants in Arizona
desert 9

[CA] 150 immigrants arrested by U.S. agents in Southern California 9

[CA] Illegal immigrant charged in string of California murders may face death penalty, officials say 10

[CA] Man wanted in string of murders deported back to Mexico, ICE says 11

Executive Office for Immigration Review

Immigration Court Backlog Growing

[Arizona Public Media](#) [9/27/2018 9:12 AM, Christopher Conover, AZ] reports new data from Syracuse University show the nation's immigration courts have a 764,561-case backlog as of Aug. 31, 2018. The backlog is a 41 percent increase since January 2017. The federal immigration courts in California have the largest number of pending cases, with 142,260. That is followed by Texas and New York, each of which has a backlog of more than 100,000 cases. Arizona's federal immigration court is backlogged by 10,206. According to the Department of Justice, Arizona has 13 federal immigration judges.

Shifting Cases Could Help Overburdened Asylum System

[Law 360](#) [9/27/2018 8:44 PM, Nicole Narea] reports a Migration Policy Institute report published Thursday suggests alleviating the burdens on the backlogged asylum system by shifting responsibilities among the immigration agencies and creating new pipelines for adjudicating certain kinds of asylum cases. The report asserts that the asylum system is facing a "breakdown" because of the extensive backlog of cases, forcing petitioners to wait for long periods and leading some to cut legal corners. The Trump administration has responded by implementing a "zero tolerance" policy of prosecuting all unauthorized border crossers and barring certain asylum seekers, including victims of domestic and gang violence. But those responses are "unnecessarily harsh[,] costly and unworkable," the report asserts. The report says that the Trump administration's recent strategy of adjudicating asylum cases that were most recently filed was proven to be effective at clearing backlogs back in the 1990s. Researchers asserted that while the strategy could eventually clear the backlog, it should be regarded as a fallback measure because it "further disadvantages cases that have already been waiting for long periods." Instead, the report recommends that asylum officers refer individuals who have demonstrated "credible fear" of returning to their home countries to U.S. Citizenship and Immigration Services' Asylum Division. Under the current system, tens of thousands of such individuals are instead sent to the immigration courts, where extensive backlogs preclude the efficient resolution of cases.

The Asylum Division should conduct a "full asylum merits adjudication" in-house, without wasting the work that asylum officers have already done to investigate petitioners' claims, the report argues. The report also recommends that the Department of Homeland Security simplify and speed up processing of categories of petitioners who would face particularly high risk if they were to return to their home countries and are likely to succeed in their asylum claims. The Department of Homeland Security should appoint a senior official to oversee transfers of such individuals to the Asylum Division in order to expedite their claims, the researchers said. In a speech earlier this month, U.S. Attorney General Jeff Sessions acknowledged that the process of evaluating whether immigrants meet standards for relief in a large volume of cases "present[s] a great challenge," which is why he said he

is hiring more immigration judges. He noted that immigration judges should always "respect the rights of aliens who come before our courts," while still rejecting "unjustified and sometimes blatantly fake claims." DHS did not respond to a request for comment Thursday.

Policy and Legislative News

Caravans of migrants continue pouring over U.S.-Mexico border

[Washington Examiner](#) [9/27/2018 5:36 PM, Anna Giaritelli, 535K, DC] reports that Border Patrol agents are apprehending an increasing number of migrant groups that include more than 100 people on the northern side of the U.S.-Mexico border, and recorded two more incidents this week. The total number of people found in large caravans wandering through southern Arizona in recent weeks now stands at 1,200, according to U.S. Customs and Border Protection. Agents based at Ajo Station in south-central Arizona found a group of 164 people and another that included about 100 people in the desert just north of Mexican city Sonoyta Tuesday afternoon, a press release issued Thursday stated. Every person in the group was taken in by federal law enforcement agents and determined to be from three Central American countries: El Salvador, Guatemala, and Honduras. The caravan members were between the ages of 11 months and 59 years. "Smugglers and traffickers know our loopholes well. The lack of legal tools creates pull factors that invite families to cross the border, because they know upon apprehension we will be required by courts to release them into the interior of our country," DHS spokeswoman Katie Waldman said in a statement to the Washington Examiner.

[CA] In Little Saigon, strong support for Trump's war on illegal immigration collides with other realities

[Los Angeles Times](#) [9/27/2018 4:00 AM, Anh Do, 3575K] reports that President Trump's crackdown on illegal immigration has sparked strong criticism and protests across California. But among older residents of Little Saigon, he has found a corner of support for his hard-line tactics and rhetoric. They too believe that those who want to come the United States should go through legal channels, just as they did. "There are Vietnamese who perceive that people from Mexico didn't sacrifice as much coming here. They think Mexico and the U.S. are so connected. You can't go to Vietnam for the weekend. But from here, you can go to Mexico," said Fred Smoller, an associate professor of political science at Chapman University.

But support for Trump's crackdown is far from universal in Orange County's Vietnamese community. Younger generations, which tend to be more liberal than their parents and grandparents, have concerns about Trump. They note the day-to-day reality that the economic engine of neighborhoods such as Little Saigon is often greased with the cheap labor of immigrants from Mexico and Central America, many of whom are in the country illegally. It's all part of a larger divide playing out in the community.

[CA] California governor vetoes 2 bills to help immigrants

[Washington Post](#) [9/27/2018 8:29 PM, Associated Press] reports California Gov. Jerry Brown vetoed two bills Thursday seeking to expand the rights of immigrants living in the country illegally and protect them from deportation. One bill would have allowed anyone to serve on state boards and commissions regardless of their immigration status, while the other sought to block immigration authorities from making arrests inside courthouses. The

move by Brown, a Democrat, avoids opening another front in California's war with President Donald Trump. The governor said he saw no reason to change a state law requiring citizenship to serve on state and local boards, which oversee zoning laws, regulate professional licenses and perform a wide variety of other functions. Sen. Ricardo Lara, a Democrat from Bell Gardens outside Los Angeles who wrote the bill, predicted the citizenship requirement will eventually disappear. Brown vetoed another bill, also written by Lara, that sought to prohibit immigration authorities from making arrests inside courthouses — a key point of contention between California officials and the Trump administration. Brown wrote in his veto message that he supports the intent of the bill but worries it may have unintended consequences. Brown did sign another Lara bill prohibiting hotels and bus companies from releasing the names of their customers to immigration authorities without a court order. That measure was prompted by a report in the Phoenix New Times newspaper that Motel 6 employees in Arizona were handing over guest lists to Immigration and Customs Enforcement officers.

The [Los Angeles Times](#) [9/27/2018 6:53 PM, Jazmine Ulloa, 3575K] reports that in his veto message, Brown said he supported the underlying intent of the measure, which was introduced to protect immigrants, but expressed concerns it could have unintended consequences. He also pointed to the state's so-called sanctuary law, which tasks the California attorney general with developing policies by October to help curb immigration enforcement at courthouses and other public institutions.

[FOX News](#) [9/28/2018 2:00 AM, Louis Casiano, 11653K] reports that Brown's actions come as California has sparred with the Trump administration over its perceived accommodation of illegal immigrants. Had Brown, a Democrat, signed SB-174, California would have been the first state in the country to allow legal residents and undocumented immigrants to serve on local and state boards that advise on policy areas such as employment and labor, the Register reported. "I believe existing law, which requires citizenship for these forms of public service, is the better path," Brown said in explaining his veto.

Reported similarly:

[The Hill](#) [9/27/2018 8:10 PM, Tal Axelrod, 3846K]

[Fresno Bee](#) [9/27/2018 7:47 PM, Yesenia Amaro, CA]

[San Francisco Chronicle](#) [9/27/2018 6:07 PM, Melody Gutierrez, 2768K, CA]

[CA] Judge rules for Huntington Beach in its challenge to state's 'sanctuary' immigration law

[Los Angeles Times](#) [9/27/2018 7:35 PM, Priscella Vega] reports an Orange County Superior Court judge determined Thursday that California's "sanctuary state" protections for undocumented immigrants infringe on Huntington Beach's local control as a charter city, making Huntington the first city to successfully challenge the controversial law. Senate Bill 54, authored by state Senate leader Kevin de León (D-Los Angeles), in many cases prohibits state and local police agencies from notifying federal officials about the impending release of immigrants in custody who may be deported. But after an hours-long courtroom debate Thursday, Judge James Crandall sided with Huntington Beach City Attorney Michael Gates' argument that the law is unconstitutional as it applies to charter cities, which are run by a charter adopted by local voters. The ruling makes Huntington Beach and all of California's 121 charter cities exempt from complying with SB54.

Reported similarly: [Washington Times](#) [9/27/2018 8:29 AM, Stephen Dinan, DC]

Legal News

3rd Circ. Rules Some Immigrants Are Owed Bond Hearings

[Law 360](#) [9/27/2018 7:15 PM, Kevin Penton] reports the Third Circuit has determined that a Mexican man who was apprehended on drug charges and has a long-standing removal order was entitled to a bond hearing after nearly two years in detention, because federal statutes require the proceeding after a person has been held for a prolonged period. The appellate court on Wednesday held that even for immigrants detained under a section of the Immigration and Nationality Act typically reserved for those who are expected to be removed in short order, the individuals are entitled to a bond hearing after six months, according to its opinion. The Third Circuit determined that Rafael Guerrero-Sanchez's detention for 637 days after completing his sentence on drug-related charges should be governed by the INA's Section 1231(a) — rather than Section 1226(a) — because he is subject to a reinstated 1998 removal order that fell under that section, which may not be reopened or reviewed, according to the opinion.

The Third Circuit went on to specify that even for immigrants such as Guerrero-Sanchez who are held under Section 1231, the individuals are entitled to the hearings once six months have passed and they have yet to be deported, according to Wednesday's opinion. "The fiscal and administrative burden on the government of requiring a bond hearing before an immigration judge is diminished in light of our estimation that the incidence of these hearings will be manageable since the vast majority of removal orders are executed well before six months," the opinion reads. With his detention by U.S. Immigration and Customs Enforcement occurring in May 2015 and his withholding proceedings set for September 2019, Guerrero-Sanchez could have been in detention for over four years — supposedly while imminently deportable — had the Middle District of Pennsylvania not granted him a bond hearing in February 2017, according to the concurring opinion.

[MI] Livonia man says he got conned out of \$60k for fake immigration services

[WXYZ](#) [9/27/2018 11:24 PM, Heather Catallo, MI] reports a local father says he paid more than \$60,000 to an immigration services company in the hopes of bringing his fiancé and her children to the U.S. But instead of living happily ever after, he says his money and his trust are gone. John Kotronis says he wanted to come forward to warn others about the man at the center of this, Joseph Liebman. And the 7 Investigators have learned Liebman has just been arrested again. It was a match made from 8,000 miles away. Kotronis says he met the love of his life on online. After months of talking and texting, he flew to the Philippines to meet Jean in person. When he returned home to Livonia, Kotronis made it his mission to bring Jean and her two children to the U.S. Kotronis learned that his union legal services do not handle immigration work, so he says they suggested he try a business known as Michigan Immigration Services that was first located in Westland but has since moved to Detroit. And that's where Kotronis says he met Joseph Liebman. "He said for \$7,000, I'll take care of everything," said Kotronis. But Kotronis says that \$7,000 turned into demands for more and more money to apply for the visas. Kotronis says after months of getting the run around from Liebman, he finally called U. S. Citizenship and Immigration Services, or USCIS, and got some devastating news: no visa applications were ever filed.

U.S. immigration officials have given us a list of suggestions to make sure you're asking the right questions and protecting your rights when filling out visas and other immigration paperwork which include researching where you go for help. Only use professionals that are

authorized in the United States to provide legal immigration advice: either an attorney in good standing or a Board of Immigration Appeals (BIA) accredited representative. Check the BIA for a list of attorneys who provide immigration services for low to no cost and for a list of disciplined attorneys. You can also check the American Bar Association or your State bar association for legal services in your state. The only people authorized to give you legal advice on immigration are attorneys and representatives accredited by the Board of Immigration Appeals.

[ID] Only 25 percent of Idahoans in immigration court have lawyers. A new nonprofit plans to change that

[Idaho Press-Tribune](#) [9/27/2018 5:46 PM, Nicole Foy, 9K, ID] reports a new nonprofit offering free and low-cost legal services to Idaho's immigrant community will launch in Boise next week. Immigrant Justice Idaho, founded by Boise immigration lawyer Maria Andrade, will address the state's gap in free or low-cost legal representation for Idahoans appearing in immigration court or detained by federal immigration officials. Defendants in immigration court are not assigned a pro bono public defender and are not required by U.S. law to have legal representation like they are in criminal court. Right now, Andrade said, the only organization on the list Idahoans receive is based in Montana. Only 25 percent of Idahoans with current cases in immigration court have legal representation, according to the TRAC Immigration database. When they can actually attend their hearing in Boise — the Utah immigration court usually has jurisdiction over Idaho cases — that percentage rises to about 50 percent. Andrade told the Idaho Press her ultimate goal is for all immigrants in Idaho to have legal representation in the future. "Universal representation would level the current unequal playing field of immigration court proceedings where defendants are forced to navigate the complex world of immigration law alone if they cannot afford a lawyer — including traumatized asylum-seekers, people who have been harmed by government officials and even young children," Andrade stated in a Thursday press release.

[CA] Sacramento man files \$750,000 claim against ICE, says agents beat him to get him to be a snitch

[Los Angeles Times](#) [9/27/2018 12:00 PM, Hannah Fry] reports that a Sacramento man on Wednesday filed a claim seeking \$750,000 against U.S. Immigration and Customs Enforcement, alleging that agents beat and threatened him with deportation last year when he refused to turn in other people who were in the country illegally. The complaint says that ICE agents first put Carlos Alfredo Rueda Cruz, 28, who is originally from Mexico, on an order of supervision in March 2017, which required him to report to the agency monthly and divulge information about other immigrants in exchange for being permitted to stay in the United States. Rueda said agents pushed him to turn in people with criminal convictions and those who engaged in criminal activity but had not been arrested or faced trial. A spokesman for ICE did not immediately respond to a phone call seeking comment Thursday. Claims against government agencies are typically filed before a lawsuit is initiated.

Reported similarly: [Daily Mail](#) [9/27/2018 2:00 PM, Adry Torres, UK]

Enforcement News

Just 25% ICE arrests from community raids, far below Obama's roundups

[Washington Examiner](#) [9/27/2018 11:00 AM, Paul Bedard, 535K, DC] reports that community roundups of illegal immigrants were nearly 30 percent higher under former President Obama than under President Trump, according to a new analysis that calls into question charges from pro-immigrant groups that Immigration and Customs Enforcement arrests have exploded. Syracuse University's Transactional Records Access Clearinghouse report on more than two million arrests between October 2008 and June 2018 said that the most Trump's ICE arrested in one month was 4,275 in March 2017, below the 6,001 under Obama in July 2009. The report added that just 25 percent of ICE arrests have been made in communities versus transfers from jails and state and local offices.

Several groups and media outlets have charged that ICE is conducting raids in neighborhoods, rounding up unsuspecting illegal immigrants who have committed no crime beyond entering the nation without permission. The numbers, however, tell a different story and show that most arrests have been made through official paths. "According to the report, 22 percent of aliens arrested by ICE in the first nine months of FY 2018 were apprehended in state and federal prisons, while an additional 41 percent were apprehended at local jails," said a CIS analysis.

The [Washington Free Beacon](#) [9/27/2018 1:40 PM, Charles Fain Lehman, 178K, DC] reports that arrests under the 287(g) program, which allows partner state and local law enforcement offices to make arrests on ICE's behalf, have also risen. What this means practically is that while aggregate arrests have fallen, ICE has become more active, making more arrests on its own instead of simply relying on other law enforcement agencies to report suspected illegal immigrants they have detained.

ICE arrests almost 100 people in North Texas and Oklahoma

[KXII-TV 12](#) [9/27/2018 6:21 PM, Jen Phillips, 23K, TX] reports that almost 100 people are behind bars after a 10-day operation by Immigration and Customs Enforcement in North Texas and Oklahoma. ICE confirms the operation ended last Friday and said in a release they targeted 'criminal aliens and immigration fugitives', including two people in Sherman. The release said 29 of those arrested had been deported at least once before and 67 of them had criminal convictions. They were from 6 different countries and 11 of them were women.

North Texas ICE Raid Highlights Differences in Trump, Obama Immigration Enforcement

[Dallas Observer](#) [9/27/2018 4:00 AM, Stephen Young, 140K, TX] reports that U.S. Immigration and Customs Enforcement arrested nearly 100 people during a recently concluded 10-day sting targeting North Texas and Oklahoma, the agency announced Wednesday, continuing a trend in Texas throughout 2018. According to ICE, its "enforcement action" was intended to sweep up "criminal aliens and immigration violators" in the area for which the agency's Dallas office is responsible. Of the 98 people picked up by ICE during the 10-day operation, 67 had prior criminal convictions, according to the agency. Eighty-seven men and 11 women were arrested, ranging in age from 19 to 62.

According to Marc J. Moore, field office director of enforcement and removal operations for ICE in Dallas: "By removing criminal aliens from the streets during this North Texas and Oklahoma operation, our ICE officers provide a valuable community service by enhancing public safety," Moore said. "These ongoing daily operations also help maintain the integrity

of our immigration laws." Earlier this year, Department of Homeland Security spokesman Tyler Houlton explained to reporters why ICE arrested 46,000 people without criminal records in 2017, a 171 percent increase over 2016, Obama's last year in office. "We target criminal aliens, but we're not going to exempt an entire class of (non)citizens," Houlton said. In a statement this summer, ICE spokeswoman Sarah Rodriguez said anyone in the country without documents is subject to being arrested by the agency and deported. "All of those in violation of immigration laws may be subject to immigration arrest, detention and, if found removable by final order, removal from the United States," she said in a statement.

[MA] Illegal immigrant charged with murdering shipmate

[FOX News](#) [9/27/2018 2:44 pM, Staff, 11653K] reports that a man who was charged in an attack aboard a fishing boat of Nantucket is a former DACA recipient. [Editorial note: consult source link for video]

[MI] ICE to allow deaf Nigerian immigrant another year in U.S.

[U.S. News & World Report](#) [9/27/2018 5:36 PM, Staff] reports that U.S. Immigration officials are allowing a deaf immigrant from Nigeria to remain in the United States for another year. ICE spokesman Khaalid Walls says Thursday that the agency has granted 48-year-old Francis Anwana's request to halt his deportation. Officials say he was admitted to the U.S. in 1987 as a nonimmigrant student but remained after leaving school. Advocates say he's deaf, can't speak and has cognitive disabilities. His case has drawn attention and support from many, including the Michigan Department of Civil Rights and Democratic U.S. Rep. Dan Kildee of Flint. Walls said Anwana's case was reviewed and that a "stay of removal is among the discretionary actions that a field office director for ICE's Enforcement and Removal Operations may exercise on a case by case basis."

[OH] Deported Fairfield mom reunited with family after 17 months in Mexico

[Springfield News-Sun](#) [9/27/2018 8:42 AM, Mike Rutledge, OH] reports Maribel Trujillo Diaz, the Fairfield mother of four who was deported to Mexico 17 months ago, has been reunited with her family, her legal team announced Monday. She will be able to remain in the country until a hearing in Cleveland that likely will happen next summer. Maribel, who goes by Trujillo as a last name, was deported April 19, 2017, to Mexico City. She had lived illegally in this country since 2002. Trujillo returned to the country Sept. 10 and was detained in various places, ultimately landing in the Butler County Jail. She had a bond hearing Sept. 19, "and she saw her family that evening," said Kathleen Kersh, one of her lawyers. An immigration judge released her on \$1,500 bond — "that's the minimum we see these days," Kersh said. Trujillo has been seeking asylum, and her case has received attention both nationally and around the world. Her lawyers argued she deserved asylum because she and her family had been targeted by drug-cartel members. She won a legal appeal in January, when a three-judge panel from the Sixth U.S. Court of Appeals ruled that the U.S. Board of Immigration Appeals had "abused its discretion" — by failing to sufficiently consider evidence it was provided about the dangers she and her family were facing — and should reconsider her case. In June, Father Mike Pucke, her former pastor at St. Julie Billiart, told the Journal-News that Trujillo's lawyers would ask the government to allow her to re-enter the country so she could participate in her own defense before the immigration appeals board in Cleveland. After Trujillo won her appeal in January, U.S. Immigration and Customs Enforcement denied her lawyers' first request to have her return for her removal hearing. But a second request "was approved without much of a fight on their part," Kersh said.

[WI] ICE arrests prompt Green Bay teen to arrange peaceful protest at farmers market
[Green Bay Press-Gazette](#) [9/27/2018 6:55 AM, Samantha Hernandez, 13K, WI] reports that in response to recent arrests by U.S. Immigration and Customs Enforcement officials, a Green Bay teen arranged a protest Wednesday night at the Farmers Market on Broadway. Angela Colmenares, 17, of Green Bay was moved to arrange the peaceful protest against ICE after seeing news reports about people arrested over the weekend. ICE conducted a four-day "enforcement surge" in 14 Wisconsin counties between Friday and Monday. A total of 83 people were arrested, including nine from Brown County. Colmenares created a public Facebook event and 340 people indicated wanting to attend. She was pleased with the more than 50 people who came carrying signs in support of immigrant families.

[TX] Mexican wanted for murder caught by ICE in Texas

[KTSA San Antonio](#) [9/27/2018 3:36 PM, Dennis Foley, 3K, TX] reports that U.S. Immigration and Customs Enforcement announced Wednesday a Mexican man wanted on murder charges in Mexico was captured and returned to his home country. The agency says 26-year-old Jose Hernandez-Sanches was one of ten people arrested by the Mexican government on homicide charges in October 2017. He was able to escape and fled to the U.S. The agency says he entered the U.S. illegally near Del Rio in November 2017 and was captured by immigration officials. Three days later, he was convicted in a Texas federal court of illegally entering the U.S. and was sentenced to 90 days in prison. In February, Hernandez-Sanches was released from federal prison and put into ICE custody until he was removed from the country. He was transferred to Mexican authorities at the U.S.-Mexico border in Laredo Wednesday. "Hernandez-Sanches will now face justice in Mexico for his alleged involvement in multiple homicides," said Daniel Bible, field office director for ICE Enforcement Removal Operations San Antonio. "This office works closely with our foreign law enforcement partners to repatriate fugitives who enter the United States to escape justice for crimes committed in their home countries."

[AZ] Border Patrol agents arrest 264 undocumented immigrants in Arizona desert

[AZ Central](#) [9/27/2018 11:39 AM, Staff, 665K, AZ] reports that U.S. Border Patrol agents arrested 264 undocumented immigrants in two large groups during a 24-hour period in the southern Arizona desert, the agency announced Thursday. Agents were patrolling west of the Lukeville Port of Entry when they encountered the groups over the past day, according to a Border Patrol news release. A group of 100 was discovered Wednesday, and a group of 164 was found Tuesday in the same general area. Both groups consisted of families and unaccompanied juveniles from Guatemala, Honduras and El Salvador, ranging in age from 11 months to 59 years, according to the news release. The groups were in good health, and they were transported to the Ajo station to be processed for immigration violations.

[CA] 150 immigrants arrested by U.S. agents in Southern California

[ABC News](#) [9/27/2018 12:28 PM, Staff] reports U.S. Immigration and Customs Enforcement says it has arrested 150 immigrants across Southern California this week in an operation targeting public safety threats. The agency says approximately 90 percent of those apprehended Sunday through Tuesday have criminal convictions and about 40 percent were previously released by local law enforcement agencies despite federal detainers. Detainers ask arresting agencies to notify immigration officers prior to releasing people but California laws put some limits on cooperation. Among those arrested were a man with an attempted murder conviction and a woman with seven driving under the influence convictions. In a statement, Immigration and Customs Enforcement official Thomas Giles

renewed the agency's complaint that California laws put serious repeat offenders back onto the streets instead of transferring them to jails to federal custody.

[My News LA](#) [9/27/2018 9:12 AM, Staff, CA] reports a man with an attempted murder conviction and a woman who has seven convictions for driving under the influence were among 150 people arrested this week in the Southland by federal agents targeting "criminal aliens" and other immigration violators, U.S. Immigration and Customs Enforcement announced. In making the announcement, ICE officials said in a statement Wednesday that "the lack of cooperation from local jails is negatively impacting public safety." About 40 percent of those arrested in the Sunday-through-Tuesday sweep had previously been released by local law enforcement agencies despite ICE detainers asking arresting agencies to notify immigration officers prior to the suspect's release from custody, according to the ICE officials, who said that nearly all arrestees had prior criminal convictions. "The state laws preventing ICE from working in the jails is significantly impacting public safety by letting serious repeat offenders back out onto our streets," said Thomas Giles, acting field office director for ICE Enforcement and Removal Operations Los Angeles. "Our presence would be focused in the jails, rather than in the streets, and safer for all involved, if ICE could again coordinate transfers of criminal aliens with local jails."

The [Santa Monica Mirror](#) [9/27/2018 6:03 PM, Sam Catanzaro, CA] reports that according to an ICE press release, these arrests targeted public safety threats, such as convicted criminal and individuals who had violated the immigration laws. ICE was unable to verify if there was anybody in Santa Monica arrested in the operation, telling the Santa Monica Mirror "that we only have the breakdowns by county not by city," according to spokesperson Richard Rocha.

[CA] Illegal immigrant charged in string of California murders may face death penalty, officials say

[FOX News](#) [9/27/2018 9:33 AM, Ryan Gaydos] reports that an illegal immigrant who was deported six times could get the death penalty if he's convicted in the vicious murders of three men who were beaten with a baseball bat, officials said Wednesday. Ramon Escobar, a 47-year-old El Salvadoran national, was arrested Monday in Santa Monica after allegedly attacking a homeless man. Escobar was charged with three counts of murder, five counts of attempted murder and four counts of second-degree robbery, the Los Angeles County District Attorney's Office announced. Escobar, who police believe was homeless at the time of his arrest, has a violent criminal history and was repeatedly deported. He had no outstanding warrants when he was questioned Aug. 30 about the disappearance of his aunt and he was released, Houston police said Wednesday. Investigators spoke with him because he was the last person to see Dina Escobar, 65, before she vanished, police said.

Escobar has six felony convictions for burglary and illegal re-entry. He was ordered removed from the U.S. by an immigration judge in 1998 and had been deported back to El Salvador six times between 1997 and 2011. Escobar won an appeal in immigration court in December 2016, however, and was released from ICE custody on an "order of supervision" in January 2017, ICE spokesperson Paige Hughes told Reuters.

[CBS News](#) [9/27/2018 6:08 AM, Staff, 4764K] reports that the El Salvador-native has a long criminal history, including six felony convictions for burglary and illegal re-entry, but U.S. Immigration and Customs Enforcement released him from custody after Escobar won an appeal in immigration court in 2016. Immigration records are generally not public, so it

remained a mystery how he won. Andrew Arthur, a retired immigration judge, said the Board of Immigration Appeals may have allowed Escobar to stay in the country and be released under ICE supervision by granting him asylum or some other form of relief, like "withholding of removal" or protection under the United Nations Convention Against Torture. John Sandweg, a former acting director of ICE, said a serious criminal record can hurt an asylum claim but doesn't disqualify someone from withholding of removal. ICE spokeswoman Paige Hughes declined to comment on Escobar's case beyond the statement issued late Tuesday.

Reported similarly:

[FOX News](#) [9/27/2018 6:40 AM, Staff, 11653K]

[Epoch Times](#) [9/27/2018 4:55 PM, Chris Jasurek, 512K, NY]

[KGNS](#) [9/27/2018 11:46 AM, Staff, 8K, TX]

[San Diego Union-Tribune](#) [9/27/2018 1:30 PM, Christopher Weber and Elliot Spagat, CA]

[Daily Mail](#) [9/27/2018 9:45 AM, Snejana Farberov, 18759K, UK]

[CA] Man wanted in string of murders deported back to Mexico, ICE says

[FOX San Antonio](#) [9/27/2018 6:56 PM, Staff, 7K, TX] reports that a man wanted in Mexico for multiple alleged murders was turned over to his home country on Wednesday. Jose Yobani Hernandez-Sanches, also known as Jose Antonio Hernandez-Rangel, 26, was wanted in Mexico for allegedly killing multiple people in and near Piedras Negras, Coahuila de Zaragoza, according to a news release from U.S. Immigration and Customs Enforcement San Antonio. "Hernandez-Sanches will now face justice in Mexico for his alleged involvement in multiple homicides," said Daniel Bible, field office director for ERO San Antonio.

{End of Report}